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# World's Best Orations

FROM THE

EARLIEST PERIOD TO THE PRESENT TIME


DAVID J. BREWER

EDITOR

EDWARD A. ALLEN WILLIAM SCHUYLER

ASSOCIATE EDITORS


TEN VOLUMES

VOL. IX.


ST. LOUIS CHICAGO

FERD. P. KAISER

1899

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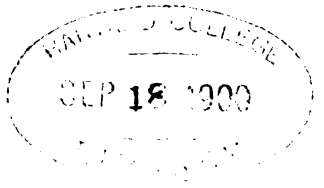

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SPECIAL TESTIMONIAL SET

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# THE ORATOR'S TRAINING IN AMERICA

BY WILLIAM SCHUYLER, A. M.

*Associate Editor, the World's Best Orations*

IN AMERICA there are no schools of oratory like those which flourished in ancient Greece or those in which the great Roman orators were trained. Although there always have been numbers of itinerant elocutionists,—giving readings and picking up pupils on the highways and byways,—and though most of our colleges have chairs of rhetoric, more or less worthily filled, yet these instructors have been of little service to oratory, save, perhaps, in the matter of voice production; for American orators are anything but academic or theatrical. They have arisen to satisfy a local need, and have been trained by local conditions.

As at Athens the budding oratorical genius was inspired by the great orations delivered before the citizens assembled in the Pnyx, so the young American orator has his pulses stirred and his ambition roused by the stump speeches of political meetings and "barbecues"; and as the Greek youth obtained his first practice in the heated discussions of the Agora, so the Yankee boy receives his first training in the Debating Society.

These societies are universal in the United States. In every college and high school, even in the upper grades of preparatory schools, and in every village, is to be found a group of young men or boys banded together for the purpose of "improving themselves in literature, oratory, and debate." So runs the preamble to the constitutions of innumerable societies, many of which stagger under such portentous Greek names as "Euglossian" or "Philomathean," while others content themselves with simple titles like "The Oshkosh High School Literary Society." But in every one the preamble is faithfully carried out, and their almost universal motto, "*Oratio Omnia Ornat*," is always revered. Every American youth who thinks he

has an idea worthy of expression is sure to join some debating society, and here, sooner or later, he learns somehow or other to express himself. And if in him glow the divine spark of oratorical genius, here it will be fanned into a luminous flame by keen opposition and generous applause.

Here are discussed with absolute freedom and with varying degrees of thoroughness, all possible questions connected with the "earth beneath and the waters under the earth,"—"the heavens above" being usually barred, as the average American respects religion too highly to endure its being made the shuttlecock of free and easy debate. But all other questions, political, social, and historical, have run the gauntlet of youthful discussion in every nook and corner of these States. What floods of immature oratory have been poured forth over the question, "Resolved that the American Revolution Is the Greatest Event in the History of the Modern World!" What treasures of half-assimilated learning have been lavished on "Resolved that the Ancient Greeks Did More for the World's Progress than the Ancient Romans!"—and what fiery intensity and sincere though unformed opinions appear when some thrilling "question of the day" is up for discussion! Then, too, besides the regular set debates, there are the never-ending wrangles about parliamentary rules and special by-laws, and the sometimes deadly earnest, sometimes mockingly humorous arguments on points of order. Fierce denunciations and passionate defenses fly about the head of some recalcitrant or unruly member, and youthful philippics are hurled at the clever leader of some minority faction, which is "blocking the wheels of legislation" by every known parliamentary device, in order to carry its point against the will of the majority. How the pulse bounds anew with youthful vigor as one recalls some stormy protracted session, or some "great speech" delivered by the "leading orator" of the society, when all sat spellbound under his influence or burst into applause at his flamboyant climax!

What veteran speaker does not remember his own early experience in the debating society? He sees himself at the first meeting sitting silent, overpowered by the honor of being chosen one of such an august assemblage, and awed by the immensity of information and the glibness of utterance displayed by the regularly appointed de-

baters. Such a thing as joining in the debate never occurs to him. At last he is appointed one of the speakers! For days he looks up the subject, trying to find one or two points he may present clearly and succinctly; in all probability he writes out his remarks and commits them to memory; at any rate he repeats them over and over to himself, altering and improving, wondering what will be their effect on the assembly, and fearing what will be said of them at the close of the meeting by the humorous and caustic «critic.» At last the long-expected day arrives, and it is his turn to speak. He rises trembling, hot and cold by turns, a choking feeling in his throat and a sinking feeling in the pit of his stomach. And, as he furtively glances about his audience, every word he has so carefully prepared vanishes from his mind—he has almost forgotten the question for debate. «Mr. President and Gentlemen of the Euglossian Society» —he stammers, and repeats the phrase, trying to gain time in which to recover his opening sentence. If any one now snickers he is lost. He fumbles in his pocket for his notes or written speech, and, with the paper in his trembling fingers, is able to begin. How he ever gets through he never knows—or what he has said, or how he has said it; but when he sits down amid the good-humored and ironical applause of his fellows, he feels that the first step has been taken. He has made his first attempt at oratory, and even the «caustic critic's» antiquated jests at his expense cannot mar the satisfaction of having spoken his thought, whether well or ill, to his fellow-men.

From such beginnings, if he has real oratorical talent, he makes steady progress. He watches the other speakers closely, studies and imitates traits he considers excellent, and endeavors to avoid those that seem to him faulty. He looks up every question, criticizes keenly the arguments and methods of the various speakers, and, if especially interested in the subject, he may perhaps gain courage to venture a «few remarks» in the open debate. And so gradually he gains confidence in his thought and its expression—that confidence which is the very foundation of the so-called «hypnotic influence» of every «magnetic orator.» He watches the effect of his words upon his hearers, and so learns to save his «bursts of eloquence» for his climax. He studies the printed speeches of the world's greatest orators, and tries to imitate their processes of thought and turns of

expression. And, finally, he, too, not only can display "immensity of information with glibness of expression," but under pressure may even carry his audience with the torrent of his eloquence into "tumultuous applause." With more or less thoroughness he has learned how to think and how to express his thought, and — what is more to the purpose — how to think on his feet. No amount of training under the most skillful elocutionist, no amount of reciting — even though it be the rendition of the masterpieces of oratory — could have given him this power, the essential quality in every true orator. And so it is from this practical training that the American orator, when he does attain greatness, surpasses all others of the contemporaneous world, just as those of ancient Athens surpassed all Greece.

All greatest speakers have been trained in the Debating Society. Daniel Webster thus writes about himself: "But there was one thing I could not do. I could not speak before the school. Many a piece did I commit to memory and rehearse it in my own room, over and over, yet when the day came when the school collected to hear declamations, when my name was called, and I saw all eyes turned to my seat, I could not raise myself from it. When the occasion was over, I went home and wept bitter tears of mortification." And yet this timid shrinking boy, after he had joined "The United Fraternity," the debating society of Dartmouth College, gradually gained confidence and power till, before he graduated, he was unanimously acknowledged to be the prize speaker and debater of the institution. The orator had been formed in the mimic arena of debate.

When Henry Clay was a lawyer's clerk in Richmond, he gathered a few congenial spirits into a debating society, most of whose members were afterwards distinguished in politics or at the bar. And when Clay moved to Lexington, Kentucky, before his admission to the bar, one of his first steps was to connect himself with the young debating society, already established and holding its meetings in the schoolhouse of the little pioneer town. The following well-known story is told of him in this connection: "On a certain evening just as the debate was about to be terminated, and the usual vote to be taken, he was heard to remark in an undertone that he did not think the subject had been exhausted. Some of the members then urged him to speak, and their importunities at length prevailed. Mr.

Clay arose, but in the greatest confusion. He stammered out the words 'Gentlemen of the Jury,' to the surprise and amazement of the assembly, and his trepidation increased. He repeated the same words a second time with a still more aggravated result. At length, by a vigorous effort, probably stung by the scarcely-suppressed ridicule of his audience, he mastered his fears and commenced his speech. As he progressed, he gained confidence; he warmed with his subject; his fine powers came into full play; and before he concluded, he convinced all who heard him that he was an orator of high gifts and of brilliant promise."*

And not only has the Debating Society brought out the genius and perfected the talent of American orators, but by its free discussions there has been fully developed in the intelligent masses the expression of that sturdy individualism which is the birthright of every American. In these debates, even those who have no oratorical talent have learned to look at great questions fearlessly from all sides and have come to appreciate the value of individual thought strongly expressed and independent words fitly spoken. And in the present time,—the day of gigantic unions of workers and combinations of wealth,—it is upon just this individual thought and upon its expression and acceptance that the preservation of our personal liberty most depends. From the dawn of our country's independence, free American orators have appealed, not to stupid, embruted slaves, but to American freemen who are able fully to appreciate and understand them; and so long as this continues, so long will endure, not only the union of these States, but the liberty of the people.

*Smucker's 'Life and Times of Henry Clay.'

# JOSIAH QUINCY

(1744–1775)

ALTHOUGH not in the highest sense an orator, the elder Quincy is too intimately associated with the opening events of the Revolution in Massachusetts to be ignored. Without the logical directness of John Adams or the lucidity and strength of Samuel Adams, Quincy frequently shows genuine power, as when he closes his appeal for the British soldiers engaged in the Boston Massacre. Frequently, however, the style to which he is moved by his patriotic enthusiasm is too florid for modern taste. A good example of his prose is this from the 'Appeal,' published in the Boston Gazette of October 3d, 1768:—

«If ever there was a time, this is the hour for Americans to rouse themselves and exert every ability. Their all is at hazard, and the die of fate spins doubtful! In vain do we trace magnanimity and heroism; in vain do we trace a descent from the worthies of the earth, if we inherit not the spirit of our ancestors. Who is he who boasteth of his patriotism? Has he vanquished luxury and subdued the worldly pride of his heart? Is he not yet drinking the poisonous draught and rolling the sweet morsel under his tongue? He who cannot conquer the little vanity of his heart and deny the delicacy of a debauched palate, let him lay his hand upon his mouth, and his mouth in the dust.»

Much of what our ancestors admired as eloquence has been since characterized as «spread-eagleism.» Quincy's ornate periods ought not to be judged thus cynically. They were inspired by the deep emotion of a time of revolution, and they ought to be judged by the patriotic feeling which forced him to express himself in the strongest possible way. In joining John Adams in the unpopular cause of the British soldiers concerned in the Boston Massacre, he staked his reputation and standing without hesitation on his duty as a lawyer. His father, then a very old man, was much concerned at hearing him violently attacked, and wrote to warn him of the odium he was incurring. «I have little leisure and less inclination,» Quincy wrote in reply, «to take notice of those ignorant slanderers who have dared to utter their 'bitter reproaches' in your hearing against me for having become an advocate for criminals charged with murder. But the sting of reproach, when envenomed only by envy and falsehood, will [illegible] more mortal. Before pouring their reproaches into the

ears of the aged and infirm, if they had been friends they would have surely spared a little reflection on the nature of an attorney's oath and duty,—some trifling scrutiny into the business and discharge of his office, and some small portion of patience in viewing my past and future conduct."

It is his just reward for courage in doing his professional duty that the speech which did most to make him odious when he delivered it has done most to perpetuate his memory with posterity.

Born in Boston, February 23d, 1744, he graduated at Harvard in 1763 and became a successful practitioner of law in his native city. In 1767, using the signature "Hyperion," he began to write against the exactions of the British ministry, and for twelve years thereafter he was one of the leading revolutionary agitators of New England. His best-known work of this period is 'Observations on the Act of Parliament Commonly called the Boston Port Bill,' a pamphlet for which he was threatened by the supporters of the ministry. After visiting England in the interests of the colonial patriots, he died on the return voyage, April 26th, 1775.

## LENITY OF THE LAW TO HUMAN INFIRMITY

(Closing Address to the Jury in Defense of Weems *et al.*, British Soldiers Arraigned for the Boston Massacre — Delivered in March 1770)

MAY it please your honor, and you, gentlemen of the jury, I have now gone through those authorities in law, which I thought pertinent to this trial. I have been thus lengthy, not for the information of the court, but to satisfy you gentlemen, and all who may chance to hear me, of that law which is well known to those of us who are conversant in courts, but not so generally known or attended to by many, as it ought to be—a law which extends to each of us, as well as to any of the prisoners; for it knows no distinction of persons.

And the doctrines which have been thus laid down are for the safeguard of us all—doctrines which are founded in the wisdom and policy of ages; which the greatest men who ever lived have adopted and contended for! Nay, the matter has been carried by very wise men, much further than we have contested for. And that you may not think the purport of the authorities read are the rigid notions of a dry system, and the contracted decisions of municipal law, I beg leave to read to you a passage from a very great theoretic writer—a man whose praises have

resounded through all the known world, and probably will through all ages — whose sentiments are as free air, and who has done as much for learning, liberty, and mankind, as any of the sons of Adam — I mean the sagacious Mr. Locke. He will tell you gentlemen, in his essay on 'Government,' "that all manner of force without right puts man in a state of war with the aggressor; and, of consequence, that being in such a state of war, he may lawfully kill him who put him under this unnatural restraint." According to this doctrine, we should have nothing to do but inquire whether here was "force without right." If so, we were in such a state as rendered it lawful to kill the aggressor who put us under so unnatural a restraint.

Few, I believe, will say, after hearing all this evidence, that we were under no "unnatural restraint." But we don't want to extend matters so far. We cite this author to show the world that the greatest friends to their country, to universal liberty, and the immutable rights of all men, have held tenets and advanced maxims more favorable to the prisoners at the bar. And although we should not adopt the sentiments of Mr. Locke, in their most extensive latitude, yet there seems to be something very analogous to his opinion, which is countenanced in our laws.

There is a spirit which pervades the whole system of English jurisprudence, which inspires a freedom of thought, speech, and behavior. Under a form of government like ours, it would be in vain to expect that pacific, timid, obsequious, and servile temper, so predominant in more despotic governments. From our happy Constitution there results its very natural effects — an impatience of injuries and a strong resentment of insults; and a very wise man has said: "He who tamely beareth insults inviteth injuries." Hence, I take it, that attention to the "feelings of humanity," to "humanity and imperfection," "the infirmities of flesh and blood"; that attention to "the indelible rights of mankind"; that lenity to "the passions of men"; that "benignity and condescension of the law," so often repeated in our books.

And, indeed, if this were not the case, the genius of our civil Constitution and the spirit of our municipal law would be repugnant: that prime defect in any political system — that grand solecism in State policy.

Gentlemen of the jury, this cause has taken up much of your time and is likely to take up so much more, that I must hasten to a close. Indeed, I should not have troubled you by being thus

lengthy, but from a sense of duty to the prisoners; they who in some sense may be said to have put their lives in my hands; they whose situation was so peculiar that we have necessarily taken up more time than ordinary cases require. They, under all these circumstances, placed a confidence it was my duty not to disappoint, and which I have aimed at discharging with fidelity. I trust you, gentlemen, will do the like; that you will examine and judge with a becoming temper of mind; remembering that they who are under oath to declare the whole truth think and act very differently from bystanders, who, being under no ties of this kind, take a latitude which is by no means admissible in a court of law.

I cannot close this cause better than by desiring you to consider well the genius and spirit of the law, which will be laid down, and to govern yourselves by this great standard of truth. To some purposes you may be said, gentlemen, to be ministers of justice; and "ministers," says a learned judge, "appointed for the ends of public justice should have written on their hearts the solemn engagements of his Majesty, at his coronation, to cause law and justice in mercy to be executed in all his judgments."

> "The quality of mercy is not strain'd;
> It droppeth as the gentle rain from heaven
> Upon the place beneath. It is twice bless'd;
> It blesseth him that gives and him that takes."

I leave you, gentlemen, hoping you will be directed in your inquiry and judgment to a right discharge of your duty. We shall all of us, gentlemen, have an hour of cool reflection; when the feelings and agitations of the day shall have subsided; when we shall view things through a different and a much juster medium. It is then we all wish an absolving conscience. May you, gentlemen, now act such a part as will hereafter insure it; such a part as may occasion the prisoners to rejoice. May the blessing of those who were in jeopardy of life come upon you — may the blessing of him who is "not faulty to die" descend and rest upon you and your posterity.

# JOSIAH QUINCY, JUNIOR

(1772–1864)

JOSIAH QUINCY, JR., is perhaps less celebrated than his father, the Revolutionary patriot of the same name, but in talent as an orator, if not in general ability, the son is his father's superior. His speech at the second centennial of Boston in 1830 contains passages which rank with the best expressions of New England individualism, while its peroration is an admirable example of strong feeling expressed strongly, but without exaggeration or rant. If his earlier speeches are less deserving of such praise, they illustrate, nevertheless, the evolution of American oratory from the florid style into that simple expression of ideas which seeks to co-ordinate thought rather than to multiply adjectives. The younger Quincy was born at Boston, February 4th, 1772. Representing Massachusetts in Congress from 1805 to 1813, he gave strong expressions to Federalist objections to the war with England and to the Embargo which preceded it. From 1823 to 1828 he was Mayor of Boston, and from 1829 to 1845 President of Harvard University. Among his published works are a 'Life of John Quincy Adams' and a 'Municipal History of Boston.' He died at Quincy, Massachusetts, July 1st, 1864.

## AT THE SECOND CENTENNIAL OF BOSTON

(From an Oration Delivered in Boston, September 17th, 1830)

THE soil of New England is trodden by no slave. In our streets, in our assemblies, in the halls of election and legislation, men of every rank and condition meet, and unite or divide on other principles, and are actuated by other motives than those growing out of such distinctions. The fears and jealousies which in other countries separate classes of men, and make them hostile to each other, have here no influence, or a very limited one. Each individual, of whatever condition, has the consciousness of living under known laws, which secure equal rights and guarantee to each whatever portion of the goods of life, it great or small, chance or talent or industry may have

bestowed. All perceive that the honors and rewards of society are open equally to the fair competition of all,—that the distinctions of wealth or of power, are not fixed in families,—that whatever of this nature exists to-day may be changed to-morrow, or, in a coming generation, be absolutely reversed. Common principles, interests, hopes, and affections are the result of universal education. Such are the consequences of the equality of rights, and of the provisions for the general diffusion of knowledge, and the distribution of intestate estates established by the laws framed by the earliest emigrants to New England. . . .

Standing at this hour on the dividing line which separates the ages that are passed from those which are to come, how solemn is the thought that not one of this vast assembly—not one of that great multitude who now throng our streets, rejoice in our fields, and make our hills echo with their gratulations—shall live to witness the next return of the era we this day celebrate! The dark veil of futurity conceals from human sight the fate of cities and nations, as well as of individuals. Man passes away; generations are but shadows;—there is nothing stable but truth, principles only are immortal.

What, then, in conclusion of this great topic, are the elements of the liberty, prosperity, and safety which the inhabitants of New England at this day enjoy? In what language, and concerning what comprehensive truths, does the wisdom of former times address the inexperience of the future?

These elements are simple, obvious, and familiar.

Every civil and religious blessing of New England—all that here gives happiness to human life, or security to human virtue—is alone to be perpetuated in the forms and under the auspices of a free commonwealth.

The commonwealth itself has no other strength or hope than the intelligence and virtue of the individuals that compose it.

For the intelligence and virtue of individuals there is no other human assurance than laws providing for the education of the whole people.

These laws themselves have no strength, or efficient sanction, except in the moral and accountable nature of man disclosed in the records of the Christian faith—the right to read, to construe, and to judge concerning which belongs to no class or caste of men, but exclusively to the individual, who must stand or fall by his own acts and his own faith, and not by those of another.

The great comprehensive truths, written in letters of living light on every page of our history,—the language addressed by every past age of New England to all future ages, is this: Human happiness has no perfect security but freedom; freedom none but virtue; virtue, none but knowledge; and neither freedom, nor virtue, nor knowledge, has any vigor, or immortal hope, except in the principles of the Christian faith and in the sanctions of the Christian religion.

Men of Massachusetts! citizens of Boston! descendants of the early emigrants! consider your blessings; consider your duties. You have an inheritance acquired by the labors and sufferings of six successive generations of ancestors. They founded the fabric of your prosperity in a severe and masculine morality, having intelligence for its cement and religion for its groundwork. Continue to build on the same foundation and by the same principles; let the extending temple of your country's freedom rise, in the spirit of ancient times, in proportions of intellectual and moral architecture, just, simple, and sublime. As from the first to this day, let New England continue to be an example to the world of the blessings of a free government, and of the means and capacity of men to maintain it. And in all times to come, as in all times past, may Boston be among the foremost and boldest to exemplify and uphold whatever constitutes the prosperity, the happiness, and the glory of New England.

## AGAINST THE CONQUEST OF CANADA

(From a Speech in the House of Representatives, Saturday, November 21st, 1812, on a Bill "Concerning the Pay of the Noncommissioned Officers, Musicians, Privates, and Others of the Army, and for Other Purposes")

*Mr. Speaker:—*

I AM sensible that I owe an apology for addressing you at so early a period of the session, and so soon after taking my seat, if not to the House, at least to my particular constituents. It is well known to them, at least to very many of them, for I have taken no pains to conceal the intention that I came to this session of Congress with a settled determination to take no part in the deliberation of the House. I had adopted this resolution, not so much from a sense of self-respect, as of public duty. Seven years' experience in the business of this House has

convinced me that from this side of the House all argument is hopeless; that whatever a majority has determined to do, it will do in spite of any moral suggestion or any illustration made in this quarter. Whether it be from the nature of man, or whether it be from the particular provisions of our Constitution, I know not, but the experience of my political life has perfectly convinced me of this fact, that the will of the Cabinet is the law of the land. Under these impressions, I have felt it my duty not to deceive my constituents; and I had, therefore, resolved by no act or expression of mine, in any way to countenance the belief that any representation I could make on this floor could be useful to them, or that I could serve them any further than by a silent vote. Even now, sir, it is not my intention to enter into this discussion. I shall present you my thoughts rather by way of protest than of argument. And I shall not trouble myself afterwards with any cavils that may be made; neither by whom, nor in what manner.

I should not have deviated from the resolution of which I have spoken, were it not for what appears to me the atrocity of the principle and the magnitude of the mischief contained in the provisions of this bill. When I speak of the principle as atrocious, I beg distinctly to be understood as not impeaching the motives of any gentlemen, or representing them as advocating an atrocious principle. I speak only of the manner in which the object presents itself to my moral view.

It is the principle contained in the third section of the bill of which I speak. That section provides that "every person above the age of eighteen years, who shall be enlisted by any officer, shall be held in the service of the United States during the period of such enlistment; anything in any act to the contrary notwithstanding." The nature of this provision is apparent; its tendency is not denied. It is to seduce minors of all descriptions, be they wards, apprentices, or children, from the service of their guardians, masters, and parents. On this principle I rest my objection to the bill. I meddle not with the nature of the war. Nor is it because I am hostile to this war, both in its principle and its conduct, that I at present make any objection to the provisions of the bill. I say nothing against its waste of public money. If eight dollars a month for the private be not enough, take sixteen dollars. If that be not enough, take twenty. Economy is not my difficulty. Nor do I think much of that

objection of which my honorable friend from Pennsylvania [Mr. Milnor] seemed to think a great deal: the liberation of debtors from their obligations. So far as relates to the present argument, without any objection from me, you may take what temptations you please and apply them to the ordinary haunts for enlistment,— clear the jail — exhaust the brothel — make a desert of the tippling shop,— lay what snares you please for overgrown vice, for lunacy, which is of full age, and idiocy out of its time.

But here stop. Touch not private right — regard the sacred ties of guardian and master — corrupt not our youth — listen to the necessities of our mechanics and manufacturers — have compassion for the tears of parents. . . .

The true source of the absurdity of this bill is a mistake in the nature of the evil. The President of the United States tells us that the administration have not sufficient men for their armies. The reason is, he adds, the want of pecuniary motive. In this lies the error. It is not pecuniary motive that is wanting to fill your armies. It is moral motive in which you are deficient. Sir, whatever difference of opinion may exist among the happy and wise yeomanry of New England in relation to the principle and necessity of this war, there is very little, or at least much less diversity of sentiment concerning the invasion of Canada as a means of prosecuting it. They do not want Canada as an object of ambition; they do not want it as an object of plunder. They see no imaginable connection between the conquest of that province and the attainment of those commercial rights which were the pretended objects of the war. On the contrary, they see, and very plainly, too, that if our Cabinet be gratified in the object of its ambition, and Canada become a conquered province, that an apology is immediately given for extending and maintaining in that country a large military force; under pretense of preserving the conquered territories,— really, with a view to overawe adjoining States. With this view of that project, the yeomanry of New England want that moral motive which alone in that country, will fill your armies with men worth enlisting. They have no desire to be the tools of the ambition of any man, or any set of men. Schemes of conquest have no charms for them.

Abandon your projects of invasion; throw your shield over the seaboard and the frontier; awe into silence the Indians in your territory; fortify your cities; take the shackles from your

commerce; give us ships and seamen; and show the people of that country a wise object of warfare, and there will be no want of men, money, or spirit.

I proceed to my second objection, which was to the inequality of the operation of the provisions of this bill. It is never to be forgotten, in the conduct of the Government of these United States, that it is a political association of independent sovereignties, greatly differing in respect of wealth, resource, enterprise, extent of territory, and preparation of arms. It ought, also, never to be forgotten that the proportion of physical force which nature has given does not lie within precisely the same line of division with the proportion of political influence which the Constitution has provided. Now, sir, wise men, conducting a political association thus constructed, ought always to have mainly in view, not to disgust any of the great sections of the country, either in regard to their interests, their habits, or their prejudices. Particularly ought they to be cautious not to burden any of the great sections in a way peculiarly odious to them, and in which the residue of the States cannot be partakers, or at least only in a very small degree. I think this principle of political action is incontrovertible. Now, sir, of all the distinctions which exist in these United States, that which results from the character of the labor in different parts of the country is the most obvious and critical. In the Southern States all the laborious industry of the country is conducted by slaves; in the Northern States it is conducted by the yeomanry, their apprentices, or children. The truth is that the only real property in the labor of others which exists in the Northern States is that which is possessed in that of minors — the very class of which, at its most valuable period, this law proposes to divest them. The planter of the South can look round upon his fifty, his hundred, and his thousand of human beings, and say: "These are my property." The farmer of the North has only one or two ewe lambs — his children — of which he can say, and say with pride, like the Roman matron, "These are my ornaments." Yet these this bill proposes to take from him, or (what is the same thing) proposes to corrupt them — to bribe them out of his service; and that, too, at the very age when the desire for freedom is the most active and the splendor of false glory the most enticing. Yet, your slaves are safe; there is no project for their manumission in the bill. The husbandman of the North, the mechanic, the

manufacturer, shall have the property he holds in the minors subject to him put to hazard. Your property in the labor of others is safe. Where is the justice — where the equality — of such a provision?

It is very well known in our country — indeed it is obvious, from the very nature of the thing — that the exact period of life at which the temptation of this law begins to operate upon the minor is the moment when his services begin to be the most useful to the parent or master. Until the age of eighteen, the boy has hardly paid to the parent or master the cost of his clothing and education. Between the age of eighteen and twenty is just the period of profit to the father and master. It is also the period at which, from the approximation towards manhood, service begins to grow irksome and the desire for liberty powerful. The passions are then, also, in their most ungoverned sway; and the judgment, not yet ripe, can easily be infatuated and corrupted by the vain dreams of military glory. At this period, your law appears with its instruments of seduction. It offers freedom to the minor's desire of liberty — plunder to his avarice — glory to his weakness. In short, it offers bounty and wages for disobedience to his natural or social obligations. This is a true view of this law. That it will have that full operation which its advocates hope and expect — that it will fill your armies with runaways from their masters and fathers — I do not believe; but that it will have a very great operation, I know. The temptation to some of our youths will be irresistible. With my consent, they shall never be exposed to it.

Mr. Speaker, I hope what I am now about to say will not be construed into a threat. It is not uttered in that spirit, but only to evince the strength of my convictions concerning the effect of the provisions of this law on the hopes of New England, particularly of Massachusetts. But pass it, and if the legislatures of the injured States do not come down upon your recruiting officers with the old laws against kidnaping and manstealing, they are false to themselves, their posterity, and their country.

# SIR WALTER RALEIGH

(1552–1618)

COMPARISON of the scaffold speech delivered by Sir Walter Raleigh at Westminster in 1618 with that of Colonel Richard Rumbold delivered on the gallows at the Market Cross in Edinburgh, in June 1685, will illustrate the most remarkable changes that ever took place in the educated human intellect. Raleigh's speech is animated by a profound desire to justify himself, not towards humanity in general, but towards the King. Rumbold, declaring that kingly government is the best of all when justly executed, judged royalty from the trap of his scaffold and in dying passed sentence on every government which breaks its contract with the people and becomes unrepresentative of their rights and interests. Raleigh was a patriot to whom the favor of his King, the advantage of his flag, and the aggrandizement of his country,—rightly if possible; if not, then in any effective way,—represented the highest possible ideal of civic virtue. The climax of his defense on the scaffold is that he fully intended to get gold for the King's treasury and that his expedition to Guiana had no other object than the enrichment of England. After the accession of James I., Raleigh had been arrested, tried at Winchester in 1603, and condemned to death on the ground that he favored Arabella Stuart for the throne. James commuted his sentence to imprisonment and left him in the Tower until 1616. In that year he was released to head an expedition to the Orinoco to develop gold mines which he believed to exist in that territory. He was pledged not to embroil the King with Spain and when he came back empty handed, with no gold whatever for the royal treasury, and nothing to show for the expedition except Spanish villages burned and their inhabitants killed, the King had him committed to the Tower and executed. A poet, a historian, a courtier, and, above everything, a bold adventurer, Raleigh has always been a popular favorite. He thought it a virtue to kill Spaniards wherever he found them, and if gold were to be had from either Spaniards or "salvages," by a sudden blow from front or rear, he had no other idea than that it was his duty, as it was always his pleasure, to strike and strike hard "for the honor of England." That men born outside of England whose interests seemed to antagonize those of his country had rights to life, liberty, or property which he was bound by any law above that of his patriotism to

respect, he never did conceive, or if he did, he certainly never shaped his life by his conception. Perhaps no one has more fully represented the most intellectual type of militant acquisitiveness. Remembering what this meant in his life and recalling what it has meant in so many individual lives, since there is something inexpressively touching in his last words:—

"And now I entreat you all to join with me in prayer that the great God of Heaven whom I have grievously offended, being a man full of all vanity and having lived a sinful life in all sinful callings; having been a soldier, a captain, a sea captain, and a courtier, which are all places of wickedness and vice,—that God, I say, would forgive me and cast away my sins from me and receive me into everlasting life! So I take my leave with you all, making my peace with God."

W. V. B.

## HIS SPEECH ON THE SCAFFOLD

(Delivered at His Execution in Old Palace Yard at Westminster, London, October 29th, 1618)

I THANK my God heartily that he hath brought me into the light to die, and not suffered me to die in the dark prison of the Tower, where I have suffered a great deal of adversity and a long sickness; and I thank God that my fever hath not taken me at this time, as I prayed God it might not.

There are two main points of suspicion that his Majesty hath conceived against me, wherein his Majesty cannot be satisfied, which I desire to clear and resolve you in.

One is, that his Majesty hath been informed that I have had some plot with France, and his Majesty had some reason to induce him thereunto. One reason that his Majesty had to conjecture so was that when I came back from Guiana, being come to Plymouth, I endeavored to go to Rochelle, which was because I would fain have made my peace before I came to England. Another reason was, that upon my flight I did intend to fly to France for saving of my life, having had some terror from above. A third reason was, the French agent's coming to me; and it was reported I had commission from the King of France.

But this I say: For a man to call God to witness to a falsehood at any time is a grievous sin! And what shall we hope for at the Day of Judgment? But to call God to witness to a falsehood at the time of death is far more grievous and impious, and

there is no hope for such a one. And what should I expect that am now going to render an account of my faith? I do, therefore, call the Lord to witness, as I hope to be saved, and as I hope to be seen in his kingdom (which will be within this quarter of an hour), that I never had any commission from the King of France, nor any treaty with the French agent, nor with any from the French King; neither knew I that there was an agent, or what he was, till I met him in my gallery at my lodging unlooked for. If I speak not truth, O Lord, let me never come into thy glory.

The second suspicion was, that his Majesty hath been informed that I should speak dishonorably and disloyally of him. But my accuser was a base Frenchman, a kind of chemical fellow, one whom I knew to be perfidious; for being drawn into this action at Winchester, in which my hand was touched, and he being sworn to secrecy over night, he revealed it in the morning.

But in this I speak now, what have I to do with kings? I have nothing to do with them, neither do I fear them; I have now to do with God; therefore, as I hope to be saved at the last day, I never spoke dishonorably, disloyally, nor dishonestly of the King, neither to this Frenchman, nor to any other; neither had I ever, in all my life, a thought of ill against his Majesty; therefore I cannot but think it strange that this Frenchman, being so base, so mean a fellow, should be so far credited; and so much for this point. I have dealt truly, and I hope I shall be believed. I confess I did attempt to escape, and I did dissemble, and made myself sick at Salisbury, but I hope it was no sin. The prophet David did make himself a fool, and did suffer spittle to fall upon his beard, to escape the hands of his enemies, and it was not imputed to him as sin; and I did it to prolong time till his Majesty came, hoping for some commiseration from him.

I forgave this Frenchman and Sir Lewis Stukely, and have received the sacrament this morning from Mr. Dean; and I do also forgive all the world. But this much I am bound in charity to speak of this man, that all men may take good heed of him; Sir Lewis Stukely, my kinsman and keeper, hath affirmed that I should tell him that I did tell Lord Carew and Lord Doncaster of my pretended escape. It was not likely that I should acquaint two privy counselors of my purpose; neither would I tell him, for he left me six, seven, eight, nine, or ten days, to go where I listed, while he rode about the country. Again, he

accused me that I should tell him that Lord Carew and Lord Doncaster would meet me in France, which was never my speech or thought.

Thirdly, he accused me that I showed him a letter and that I should give him £11,000 or £10,000. I merely showed him a letter, that if he would go with me his debts should be paid when he was gone; neither had I £1,000 for if I had had so much, I could have done better with it and made my peace otherwise.

Fourthly, when I came to Sir Edward Pelham, who had been sometimes a follower of mine, who gave me good entertainment, he gave out that I had received some dram of poison in Sir Edward Pelham's house; when I answered that I feared no such thing,—for I was well assured of them in the house. Now, God forgive him, for I do, and I desire God to forgive him. I will not only say, God is the God of revenge, but I desire God to forgive him, as I hope to be forgiven.

Well, thus far I have gone; now a little more, and I will have done by and by.

It was told the King I was brought per force into England, and that I did not intend to come again; whereas, Captain Charles Parker, Mr. Tresham, Mr. Leak, and divers others that knew how I was dealt withal, shall witness for me; for the common soldiers (which were 150) mutinied, and sent for me to come into the gun-room to them (for at that time they would not come to me), and there was I forced to take an oath that I would not come into England till they would have me, else they would cast me into the sea, and drown me; afterwards they entered my cabin, and set themselves against me. After I had taken this oath, with wine and other things, I drew the chiefest of them to desist, and at length persuaded them to go into Ireland; then they would have gone into the north parts of Ireland, but I told them they were red shanks; yet, at last, with much ado, I persuaded them to go into the south parts; promising to get their pardons; but was forced to give them £125 at Kinsale to bring them home, otherwise I had never got from them.

There was a report that I meant not to go to Guiana at all, and that I knew not of any mine, nor intended any such matter, but only to get my liberty, which I had not the wit to keep. But it was my full intent to go for gold, for the benefit of his majesty, and those that went with me, with the rest of my coun-

trymen; but he that knew the head of the mine would not discover it when he saw my son was slain, but made himself away.

Being in the gallery of my ship, at my departure, your honor (Lord Arundel) took me by the hand and said you would request me one thing, which was, "that whether I made a good voyage or bad, yet I should return again into England;" when I made you a promise, and gave you my faith that I would. Another opinion was, that I carried to sea with me 1,600 pieces, and that was all the voyage I intended, only to get money into my hands, and that I had weighed my voyage before; whereas I protest I had but £100 in all the world, whereof I gave £25 to my wife; the reason of this speech was this: there was entered £20,000 and yet but £4,000 in the surveyor's book; now I gave my bill for the other £16,000 for divers adventures; but I protest I had not one penny more than £100, as I hope to be saved.

Another slander was raised that I would have gone away from them and left them at Guiana, but there were a great many worthy men that accompanied me always, as my sergeant-major George Raleigh and divers others [which he then named], that knew my intent was nothing so. And these be the material points I thought good to speak of; I am now at this instant to render my account to God; and I protest, as I shall appear before him, this that I have spoken is true.

I will speak but a word or two more, because I will not trouble Mr. Sheriff too long.

There was a report spread that I should rejoice at the death of Lord Essex, and that I should take tobacco in his presence; when, as I protest, I shed tears at his death, though I was one of the contrary faction; and, at the time of his death, I was all the while in the armory at the further end, where I could but see him. I was sorry that I was not with him, for I heard he had a desire to see me and be reconciled to me. So that I protest I lamented his death, and good cause had I, for after he was gone I was little beloved.

And now I entreat you all to join with me in prayer, that the Great God of Heaven, whom I have grievously offended, being a man full of all vanity, and having lived a sinful life, in all sinful callings, having been a soldier, a captain, a sea captain, and a courtier, which are all places of wickedness and vice; that God, I say, would forgive me, cast away my sins from me, and receive me into everlasting life. So I take my leave of you all, making my peace with God!

# EDMUND RANDOLPH

(1753–1813)

EDMUND RANDOLPH, who introduced the "Virginia Plan" in the Federal Convention of 1787, was born at Williamsburg, Virginia, August 10th, 1753. His immediate family were loyalists, and his father, who had joined Lord Dunmore at the breaking out of the Revolution, disinherited him when he sided against England. During the Revolutionary War he was an aid-de-camp to General Washington. In 1776 he was elected Mayor of Williamsburg, and represented that city in the Virginia Convention. He afterwards became Attorney-General of the State of Virginia, and in his private practice was one of the leading members of its bar. From 1779 until 1782 he served in the Continental Congress. In 1786 he succeeded Patrick Henry as Governor of Virginia, and carried the prestige of that office with him when he went to Philadelphia to assist in making the Federal Constitution. He was the first Attorney-General under the union he had helped to form, and he succeeded Jefferson as Secretary of State under Washington. Resigning his portfolio, he returned to Virginia to practice law, and in 1807 was associated with Luther Martin in the defense of Aaron Burr. He died September 13th, 1813.

## DEFENDING AARON BURR

(From the Speech Delivered in May 1807, in the Circuit Court of the United States, at Richmond, Virginia)

THE little fragment of time that is left for me, may it please your Honors, I shall not abuse. The day before yesterday I informed the court that I had reserved to myself the right of fully answering the arguments of gentlemen on the other side, but I forbore to exercise it, in consideration of my respect for Mr. Martin. But I said that if anything should be omitted by him, I would take the liberty of addressing the court, to supply the omission. There is scarcely anything which Mr. Martin has not noticed. He has amused and instructed us; but it is difficult to come within that condition I had prescribed to myself; and there are two or three sentiments which I have much at

heart, and on which I could not justify to myself to remain silent. . . .

We wage an unequal war — an individual against the whole power and influence of the United States. We have to defend ourselves but with law and fact. Only permit us, if you please, to come with this dreadful disparity (for thus we have to contend), even when clothed with the mail of innocence. We ask for the benefit of the law. Why should we be upbraided for asking no more than the law has given us? That we must have. There is not a power on earth that can refuse us what the law gives. It is a privilege given for good reasons as a check to prevent the danger of perversion to oppression; of degeneracy to tyranny. We have a fundamental fact to proceed upon — the absence of Colonel Burr from the scene of action. His absence is acknowledged; and if it were not, it is proved by us. Hence emerges a question whether any facts, which can be proved, can convict him as a principal in the treason alleged to have been committed in his absence. If he were not present at Blannerhassett's Island, as stated in this indictment, how can he be convicted as a principal? After the admission that he was absent, how can they succeed? They cannot add one iota to what relates to this part of the business. It is a rule that cannot be controverted, that when an indispensable position cannot be proved, the court may interpose with respect to the law, and state its necessity to the jury. This is not a case of equivocal testimony, where credibility and mere weight are to be considered, which it would be improper for the court to decide upon. We ask your opinion of facts, concerning which there is no doubt. Why should the trial proceed, if it should be the opinion of the court that proof of his absence cannot support the charge of his being present as an actor? Surely not to add fuel to the general inflammation, which has already spread far and wide, and that only for the mere purpose of gratifying any one man or set of men; for this court sits not for the amusement of the public fancy or the gratification of public malignity. . . .

The man who instigates another to murder a man is considered only as an accessory because he is not in a situation to afford immediate assistance to the person who perpetrates the act. If you apply this reasoning to Colonel Burr, as he was at a great distance, and could not give immediate aid to the actors, the same conclusion must result: that he could not be considered in

any other light than that of an accessory before the fact. The gentleman says that Bonaparte was not present at the battle of Austerlitz. We know that he commanded the army; that he was on the ground; that he directed its movements and laid the plan of the battle, as much as if he had been in the heat of the action. He was present, and the principal actor. When you consider this case according to the English decisions, you can never believe that Mr. Burr can be considered as being at Blannerhassett's island.

But we are told that he is not said to be at Blannerhassett's island; that he is not alleged to have been there. The indictment charges him with having committed treason on Blannerhassett's island, with a great multitude of persons traitorously assembled and gathered together, armed and arrayed in a warlike manner; that he and those persons joined together at Blannerhassett's island; and that he did with them, then and there, ordain, prepare, and levy war against the United States. Is not this a declaration that he was present? Could he have joined them there without being present with them? You must understand most clearly, from the terms of the indictment, that he was actually there. It admits of no other construction. But, sir, the American decisions have been quoted upon this point. It is said that the opinion of the Supreme Court, in the case of Bollman and Swartwout, was that any person "who performs any part, however minute, and however remote from the scene of action, and who is leagued in the general conspiracy, shall be considered as a traitor." The import of these words, "perform any part, however minute, or however remote from the scene of action," as meant by the Supreme Court, has certainly been misunderstood by gentlemen. Does the opinion of the Supreme Court mean by these words, "minute and remote part," that a party may be indicted as present who was absent, or that he who did not act, but merely advised, shall be indicted as having actually performed a part? The language of that court does not warrant the inference that the indictment may be so drawn as to mislead, instead of giving the accused notice of the proof to be exhibited against him, that he may prepare his defense. Does it mean that a person, at the distance of five hundred miles, shall be considered as present? Does it mean that they shall be punished according to the degree of their guilt? Does it mean to say that persons, in the character of accessories, shall

be punished? Does it mean to say that there are no accessories in treason, and that all are principals? What, then, is the meaning of the opinion? It must be this: by "remote from the scene of action," must be intended that any person, directly and indissolubly connected with the party perpetrating the act, though not at the spot, but near enough to give immediate aid at the time and place, if necessary, is to be considered as engaged in the plot and guilty of treason. The judges viewed this subject without considering the question whether a man could be a principal, notwithstanding his absence. Such an idea never occurred. The Constitution ought to be construed according to the plain and obvious import of its words. It will be in danger if there should be a departure from this construction. It never can be supposed that its framers intended that this fancy and imagination should be indulged in its future exposition. . . .

Consider this subject attentively. Reflect on the mode of prosecution which is advocated, and see whether it does not deprive us of this constitutional privilege. The language of any man, addressed to the accused on this subject, would be: "You are charged with treason, but you are to be informed of the nature and cause of the accusation, so as to enable you to prepare your defense." The indictment is shown him. It tells him that he actually levied war by raising men and committing acts on a particular day and at a particular place. Knowing his innocence of the charge, he pleads not guilty, and produces testimony to prove that he was not there; that during the whole time he was many hundred miles distant, or perhaps beyond sea. Against all this, when he comes to be tried, he is told: "It was not you that raised the army. We do not mean that you were there in person. You needed not to have summoned twenty or thirty witnesses to prove that you were not present. But you did what we insist is the same thing as levying war. You wrote a letter, in which you advised the thing to be done." He would very naturally answer: "If that be your meaning, I have been misled and deceived; I am not prepared for trial, and I pray that the cause may be continued." But he is told: "Your prayer cannot be granted. The jury are sworn, and you must take your trial."

Now, sir, should it be in the power of any government thus to mislead and destroy any man it may select for its victim? I do not pretend to say that such is the disposition of this Government; nay, I am sure that it is not. But no child, who could

read the Constitution, would suppose that it could be ever so construed. Yet sir, what babies we were if we expected the Constitution to be thus correctly construed! If this construction be adopted and this species of indictment admitted, it will pervert this very palladium of our safety into an instrument of destruction. Mr. Hay knows that I intend nothing offensive to him; but when he tells me that his indictment fits this case, he deceives us. He deludes us into a trial in ignorance of the accusation, and drags us blindfold to the scaffold. This is the most intolerable hardship. Examine history from the beginning of the world, you will find nothing like the character of an American legislature, who, professing to be the votaries of liberty and to admire the principles of a free constitution, would permit such horrid oppression of their citizens; to keep them in the dark, to hold out the semblance of security to innocence, but to expose it to inevitable destruction! Sir, I could mention a thousand acts of oppression that would not be so severe as this. The party accused is entrapped and ensnared. He is taken by surprise, and forced into a trial with the rope round his neck, without any means of preparation or defense. This is substance; not a phantom of the imagination. The forms of trial, the instruments of nominal justice, are to be wrought up into an engine of destruction. We call on you as guardians of this Constitution, as far as depends on your acts, to preserve it from violation. I ask you to remember the difficulty of repairing the mischiefs of an oppressive construction, and permitting, unopposed, encroachments on the dearest privileges of the people. If this attempt be successful, where will persecution stop? If this be correct, fate has sealed it in your mind, and the law is only to force it. I feel myself so much roused by the idea of the effect that this doctrine would have, that did I not know that it came from a pure source, without any intention to injure or oppress, I would be alarmed. I would say, as Paul said to Agrippa: "Believest thou in the Constitution? I know thou dost." I ask you to save this rock of our salvation. For myself I do not care. I have not much to care, with respect to the remainder of my life. But for my children I feel the affection and solicitude natural to a parent; and for my country, those sentiments of patriotism which become every good citizen. Let not the great palladium of public liberty be undermined. I pray you that the rights of the citizen may not be immolated at the shrine of faction and persecution; that inno-

cence may not be engulfed by the adoption of the doctrine of the prosecutors. American judges never can do this. I was going to use language too strong; American judges dare not do it.

. . . . . .

Let me add a few words, with respect to the necessity of force, to what has been already said on that subject. According to what has been often observed in the course of this trial, the crime consists of the beginning, the progress, and consummation, in the course of which some force must be exhibited. A man might begin a crime and stop short, and be far from committing the act. He might go on one step still further, without incurring guilt. It is only the completion of the crime that the law punishes. Suppose an army were embodied by Mr. Burr, and they only assembled and separated without having committed any act; what would the Government have to complain of? When they punish a man for murdering another, it is because he is dead. When a man is punished for a robbery, it is because a person has been put in fear and his property taken from him without his consent. So it is with respect to every other crime; while it is in an incipient state, it is disregarded. No person is punishable who is only charged with such an inchoate, incomplete offense. The intention is never punished. In such cases time is allowed for repentance, at any time before its consummation. Such an offense as this is never punishable, unless in the case of a conspiracy; and even on a prosecution charging that offense specially, the act of conspiring must be satisfactorily established. Here no injury has arisen to the Commonwealth. No crime has been perpetrated. The answer to this is, that there were preparations to commit it. As far as communications have been made to the Government, there is no possibility of proving a complete act, yet those accused must be punished. Then their rule of law is that wherever there is a beginning of a crime, it shall be punished lest it should grow to maturity! Is this the spirit of American legislation and American justice? Is it the spirit of its free constitution to consider the germ as the consummation of an offense? the intention, so difficult to be ascertained and so easy to be misrepresented and misunderstood, as the act itself? In such a system it may be a source of lamentation that no more than death can be inflicted on the completion of the crime. Death, death, is to be the universal punishment, the watchword of humane legislation and jurisprudence!

When we mentioned the idea of force, I was not a little amazed at the manner in which they attempted to repel the argument. It was said that they were prepared to show potential force; that fear was used; that an assemblage was drawn together to act on the fears of the people. This fear begins at New Orleans, mounts the Mississippi against the stream, and fixes itself at Blennerhassett's island. Henry IV. fell a sacrifice to the predictions of the Jesuits. They determined to destroy him, and predicted that he would fall; and he did fall. I may safely admit that fear really existed at New Orleans, because the man who was interested to excite it had it in his power most effectually to do so. A great conspiracy with vast numbers and means is feigned. A particular day is announced as the time of attack. The militia are brought together. They "surround the city, spread the alarm in the coffeehouses and other public places; guard the river, for they are coming in the next flood of the Mississippi." Thus terror and apprehension were excited by every stratagem imaginable. Are we to be sacrificed by base and insidious arts like these? by the artifices of a man interested in our destruction to effect his own preservation?

I have done, sir. I find myself hurt that I could not give a greater scope to my feelings on this all-important subject. I will only add one remark, which I hope will be excused and considered as applying to all who occupy the sacred seat of justice. Judges have passed through the temple of virtue and arrived at that of honor; but we find that it is a just decree from the free will of the people, that the floor of that temple is slippery. Some may suppose that because the wheel of fortune is not seen immediately to move, it is at rest. The rapidity deceives the sight. He who means to stand firm in that temple must place his hand on the statue of wisdom, the pedestal of which is a lion. These are the only qualities by which they can be useful in their honorable station. Popular effusion and the violence and clamor of party they will disregard. It is the more necessary, as judges may hereafter mingle in politics; and they are but men, and the people are divided into parties. In the conflicts of political animosity, justice is sometimes forgotten or sacrificed to mistaken zeal and prejudice. We look up to the judiciary to guard us. One thing I am certain of, that you will not look at consequences; that you will determine *fiat justitia*, let the result be what it may.

# JOHN RANDOLPH

(1773–1833)

JOHN RANDOLPH, of Roanoke, was born in Chesterfield County, Virginia, June 2d, 1773,—five years before the birth of Brougham. If the fact that these two remarkable men were contemporary is kept in mind, it may do much to account for what would be otherwise unaccountable in Randolph's oratory,—especially in the style he developed during the latter part of his public life. He was elected to Congress in 1799 and served in the Lower House not quite continuously until 1825, when he was transferred to the Senate for two years. Serving in the House of Representatives again from 1827 to 1829, he went to Russia as United States Minister in 1830, and, returning, was re-elected to the House where he remained until his death. That Randolph was in any sense a constructive statesman it would be absurd to assert, but any one who reads a page from his speeches must feel at once that they could have come only from a man of genius. He had an almost miraculous fluency as an extemporaneous speaker, and had he been able to control and direct the current of his thought for the purposes of the world's advancement, he might have been one of the greatest men of history. Certainly it was not intellect or the power to express it he lacked to make him so, but when he began to speak on any subject, neither he himself nor any one else could have any assurance of where he would end. He poured out a perfect flood of ideas, sometimes disjointed and seldom well directed, but illustrated with more or less accurate references to a reading as extensive in scope as the literature of the world, and illuminated by flashes of wit which often scathed where they failed to enlighten. However much we may disapprove his attitude towards John Quincy Adams and Henry Clay, the sternest morality cannot prevent satisfaction at the intellectual triumph he achieved in condensing all his rage at them as he did in saying in his speech of March 1826: "I was defeated horse, foot, and dragoons —cut up and clean broke down—by the coalition of Blifil and Black George—by the combination unheard of till then, of the Puritan with the blackleg." In all the history of artistic vituperation, this sentence has never been surpassed. Its effectiveness was immediately recognized, not only by the public, but by Clay himself, and it is no wonder that the celebrated Clay-Randolph exchange of bullets

and gentlemanly courtesies was the immediate result. The speech in which Randolph used this immortal sentence is, perhaps, his best, and certainly no other is more characteristic of his intellectual habits. In his view of the relations of the States to the Union, he was more of a Jeffersonian than Jefferson himself, but here his democracy ended. He had no patience with Jefferson's theory that it was safe to "trust the people." In the Virginia Convention presided over by Madison, when the question was on restricting the franchise to property holders, he vehemently opposed the extension of the suffrage, declaring that under universal suffrage "a negro boy with a Barlow knife" and a stick on which to keep the tally of votes was fully equipped for statesmanship. He died June 24th, 1833, conscious that he had shown genius of the highest order, but embittered and disappointed at its ineffectiveness. W. V. B.

## "BLIFIL AND BLACK GEORGE—PURITAN AND BLACKLEG"

(From the Debate on "Executive Patronage" in the Senate, March 1826)

Now, sir, the election being over, about which I shall say nothing—I bring no sort of innuendo against great men—great let me call them, since they have conquered me, my constituents, my people—and so, having conquered that people, that is the affair of that people. I deal with them only as the half representative of the State of Virginia, but there are some curious coincidences, sir, in regard to this matter. Not only do we find one of these gentlemen almost the avowed confidential organ of the Executive and manager of the House of Commons—I beg pardon—the House of Representatives; another, in the Secretaryship of State; a third, in the Speaker's chair; but we find the fourth, Minister to Mexico. Now, sir, what better could be done for a gentleman, avowedly well qualified for the mission, than to make him some reparation for this cruel decollation of his motion? The reparation was due to him—it has been made. At that time—I mean in 1824—I took something of an active part in the House of Representatives; I was forced on in the Greek question, and we put the Greeks on the shelf, mover and all—*pro hâc vice* I mean. But at that time the mover of this resolution which I have just read, about South America, says, in reply to the gentleman from Virginia, to whom it does not become me to allude if I could possibly avoid it, that when that discussion should come up, he pledged himself to show I don't know how many fine

things; and the gentleman said he had been too long acquainted with his promises to rely on them, and he looked for performance — which never came from that day to this — for that resolution has never been called up — it slept — it took a dose of Turkey opium — a dose from the Levant, brought in a Greek ship — it fell sound asleep, and has not waked from that day to this. Did I say from that day to this? Yes, sir. It waked up like the man in the Arabian Nights entertainments, who, having fallen asleep a groom, waked up in the palace of the Grand Vizier, with the Vizier's daughter for his wife — it waked up in the Department of State — while the friendly genius who had metamorphosed him had put the bridegroom in a place not to be named before gentlemen, much more before ladies.

So much for the presidential question out of the House; now, one word of coming in. Sir, it was on that very occasion [Here Mr. Hayne said something in a low voice.] I beg pardon, I must go on. Well, sir, this alliance between the East and the West being consummated by a new species of Congress — not the Congress between the sexes, but a different one — this alliance being consummated, do you wonder that the President of the United States should, from his new ally, learn to play at the political game of brag? The gentleman from North Carolina complains of the President coming here with a plan of his powers; he imitated the wise man at Rome who could jump thirty leagues at a leap, but took care not to go through it there — they buried the hatchet, and with it the pledges they had given to prove each other to be — what, I shan't say.

Sir, in what book is it — you know better than I — in what parliamentary debate was it, that, upon a certain union between Lord Sandwich, one of the most corrupt and profligate of men in all the relations of life, and the sanctimonious, puritanical Lord Mansfield, and the other ministerial leaders — on what occasion was it that Junius said, after Lord Chatham had said it before him, that it reminded him of the union between Blifil and Black George? I, who am no professional man, but only a planter; I, whose reading has not gone very deep into black letter, though I do know some little of that too; I do believe there is more wisdom after the Bible, Shakespeare, and Milton — I do believe that in 'Don Quixote,' 'Gil Blas,' and 'Tom Jones,' there is contained a greater body of wisdom than is to be found in the same number of pages in the whole collection of English and foreign literature.

I might have added to them the famous Thousand and One Nights'; for, though they are fabulous, they are human nature, sir. It is true, it is Eastern nature, but it is the same thing that Fielding served up — it is human nature. I remember very well one of the numerous heroes of 'Gil Blas,' the son of Coscolina, our old friend Scipio — I recollect very well an adventure that befell him. Towards the close of that inimitable and immortal romance, Scipio is called on to tell the story of his life. He begins by saying that he — it is a remarkable coincidence — was born in infancy to indigence, ignorance — and, sir, the son of Coscolina might have kept up the alliteration, by adding, to impudence; and that, if he had been the author of his own being — if he had been consulted on the occasion, he would have been a grandee of the first class. Who doubts it? Who doubts Scipio or any one else when he says he should wish to have been born of a good family, to a good estate, and to have been brought up in good habits, and with the manners and principles of a gentleman? Who doubts it? It was Scipio's misfortune that he was not; and I would take even Scipio's evidence in this case, or any other man's.

Among other adventures that befell the son of Coscolina, he entered into the service of a certain Don Abel, who carried him to Seville, in Andalusia; and, on a certain occasion, coming home with very bad luck from a card table, — that will sour the temper even of the mildest — I have seen ladies themselves not bear heavy losses at cards very well, — he gave Scipio a box on the ear, because he had not done something which he had not ordered him to do, but which it was the part of a good servant to have done without being ordered. Scipio goes to tell his story to a bravo, and tells him that his master is going to leave Seville, and that as soon as the vessel runs down the Guadalquivir, he shall leave him. If this be your plan of revenge, says the bravo, your honor is gone forever — not only do this, but rob him — take his strong box with you. Scipio at that time had not conceived the atrocious idea of adding robbery to breach of trust; but he agreed to the proposition. But, as they were descending the staircase, the bravo — strong as Hercules to carry off other men's goods — with the strong box on his shoulders, they are met by Don Abel. The bravo puts down the coffer, and takes to his heels, and Scipio awaits the issue of his master's wrath. He can tell his story, and put a face on the matter. What are you doing

with my coffer? I am going to take it to the ship. Who told you to do so? Nobody. What is the name of the ship? I don't know; but, having a tongue in my head, I can inquire. Why did you carry my coffer off? Did you not chastise me the other day for not having done something without being ordered? Did not I know you were about to embark, and was it not my duty to see your luggage safe on board the ship? Abel's reply was: "My good friend, go about your business. I never play with those who sometimes have a card too many, and sometimes a card too few." It shall be my business to prove, at a future time, that this is the predicament in which our present ministry stand; whereas, on a certain occasion they had a card too few, on another they had a card too many, or *e converso.* I believe I can prove it both ways. I, like Don Abel, am ready to bid them go their ways in peace, and to determine that they shall never play again, with the power and the money of the people that I represent, with my leave. I say I will prove, if the Senate will have the patience to listen to me — I will prove to their satisfaction that the President has clapped an extinguisher on himself. If I don't prove it — it is a pledge that shall be redeemed — not like the pledge about the navigation of the Mississippi — not like the pledge about the Spanish-American resolution — it shall be redeemed, or I will sit down infamous and contented for the rest of my life. And how, sir, has he extinguished himself? He has done it by the aid and instrumentality of this very new ally. I shall not say which is Blifil and which is Black George. I do not draw my pictures in such a way as to render it necessary to write under them: "This is a man; this is a horse." I say this new ally has been the means of extinguishing him, and for what? Sir, we hear a great deal about the infirmity of certain constitutions — not paper constitutions — we hear a great deal of constitutional infirmity — seven years is too long for some of us to wait; and if the President can be disposed of at the end of three years, then, being extinguished, may they not, by some new turning up of trumps, expect to succeed him? I shall suggest to my good friend from Missouri, whether there is not in fact a Trojan horse within the walls of the Capitol — no, not of the Capitol, but of the Executive palace. I would suggest to him whether there is not an enemy in the camp who, if I should fail in blowing anybody sky-high, will put them — below, not only the sky, but the ground — bury them. But, whatever the motive may

have been, the fact is as I have stated it, that there is a discrepancy in the communications of the Executive to Congress; and I will state another thing when I come to it. It is, that I do believe — though I do not pledge myself to prove — but I will pledge myself to make out a very strong case, such as would satisfy a jury in the county of Charlotte — and I would put myself on that jury, and be tried by God and my country — I then say, sir, that there is strong reason to believe that these South American communications, which have been laid before us, were manufactured here at Washington, if not by the pens, under the eye of our own ministers, to subserve their purposes. Sir, though in one respect I am like the great Earl of Warwick, the king-maker, and a little unlike him in unmaking one king — though between two hawks I can tell which flies the higher pitch — between two dogs, which has the deeper mouth — between two horses, which bears him best — between two blades, which hath the better temper — between two girls, which hath the merrier eye — yet, in matters of law, I am like the unlearned Earl Goodlack. One thing has my attention been turned to — language — words — the counters of wise men, the money of fools — that machine and material with which the lawyer, the priest, the doctor, the charlatan of every sort and kind, pick the pocket, and put the fetters upon the planter and upon the slaveholder. It is by a dexterous cutting and shuffling of this pack that the business is done. They who can shuffle the whole pack are often quite ignorant of any foreign language, even of their own, and, in their attempts to write and talk finely, they only betray their poverty, like the fine ladies in the 'Vicar of Wakefield,' by their outrageous attempts to be very genteel. The first thing that struck me in these documents was, how wonderfully these Spaniards must have improved in English in their short residence in the United States. It reminded me of a remark in one of Scott's novels, in the part about old Elspeth, of the Craigburnfoot: "Aye," says old Edie, "she's a well-educate woman; and an' she win to her English, as I hae heard her do at an orra time, she may come to fickle us a'." These Spaniards have got to their English, and we are all fickled. But I shall be told — not as I have been told — but as I am prepared to be told — because I have kept this thing locked up here to bring it out here in this Senate — I shall be told that these English letters were translations from the Spanish, made in the office of the Secretary of State. I hope not — I should be

sorry to see any such tokens of affinity, and consanguinity, and good understanding; but they have the footprints and the flesh-marks of the style of that office, as I shall show on a future occasion. I cannot show it now — it would be unreasonable — but show it I will, and in a manner that shall satisfy any honest jury on the south side of the Ohio, and on the south side of Mason and Dixon's line — any honest jury — and I will bring the presumption so strong, that he must possess more than Christian charity (which covereth all things) who will deny that there exists strong presumptive evidence — and, sir, against the honor of a man, as against the honor of a lady, strong presumptive evidence is a fatal thing — it is always fatal when that presumptive evidence cannot be cleared up and done away. Do you read the letters of these South American missionaries over again, and compare them with the tone of the messages and letters which we have received — put them in columns one against the other, and mark the similitude. My suspicious temper may have carried me too far — if it has, I will beg pardon — but will show enough — not a handkerchief — not to justify the jealousy of Othello — yet I believe that the jealousy might have been pardoned to the noble Moor, certainly by me, had he not been a black man; but the idea to me is so revolting, of that connection, that I never can read that play with any sort of pleasure — see it acted I never could.

Now, sir, John Quincy Adams coming into power under these inauspicious circumstances, and with these suspicious allies and connections, has determined to become the apostle of liberty, of universal liberty, as his father was, about the time of the formation of the Constitution, known to be the apostle of monarchy. It is no secret — I was in New York when he first took his seat as Vice-President. I recollect — for I was a schoolboy at the time, attending the lobby of Congress, when I ought to have been at school — I remember the manner in which my brother was spurned by the coachman of the then Vice-President, for coming too near the arms blazoned on the escutcheon of the vice-regal carriage. Perhaps I may have some of this old animosity rankling in my heart, and, coming from a race* who are known never to forsake a friend or forgive a foe — I am taught to forgive my enemies, and I do from the bottom of my heart, most sincerely, as I hope to be forgiven; but it is my enemies — not the enemies of my

* Indian descent from Pocahontas.

country; for, if they come here in the shape of the English, it is my duty to kill them; if they come here in a worse shape,— wolves in sheep's clothing,—it is my duty and my business to tear the sheep skins from their backs, and, as Windham said to Pitt, open the bosom, and expose beneath the ruffled shirt the filthy dowlas. This language was used in the House of Commons, where they talk and act like men—where they eat and drink like men, and do other things like men—not like Master Bettys. Adams determined to take warning by his father's errors, but in attempting the perpendicular, he bent as much the other way. Who would believe that Adams, the son of the Sedition-Law President, who held office under his father—who, up to December 6th, 1807, was the undeviating, stanch adherent to the opposition to Jefferson's administration, then almost gone—who would believe he had selected for his pattern the celebrated Anacharsis Cloots, "orator of the human race"? As Anacharsis was the orator of the human race, so Adams was determined to be the President of the human race, when I am not willing that he should be President of my name and race; but he is, and must be, till the third day of March, eighteen hundred and—I forget when. He has come out with a speech and a message, and with a doctrine that goes to take the whole human family under his special protection. Now, sir, who made him his brother's keeper? Who gave him, the President of the United States, the custody of the liberties, or the rights, or the interests of South America, or any other America, save only the United States of America, or any other country under the sun? He has put himself, we know, into the way, and I say, God send him a safe deliverance, and God send the country a safe deliverance from his policy—from his policy. Sir, it is well known to you that up to the period of getting this message from Adams, I was the champion here of his rights as a co-ordinate branch of the Government. I was the person who rose immediately after the gentleman from New York and protested against our opening the doors, for reasons with which I will not trouble the Senate. On the question of a call on the Executive, for other information than the treaties, etc., I said the President is a co-ordinate branch of this Government, and is entitled to all possible respect from us. It is his duty to lay before us information on which we must act—if he does not give us sufficient information, it is not our business to ask more —I never will ask for more.

[Mr. Randolph here briefly adverted to the history of the resolutions in the secret session.]

I did maintain the rights of the President, but from the moment he sent us this message — from that moment did my tone and manner to him change. From that moment was I an altered man, and I am afraid, not altered for the better.

[Here he read the Executive message of the sixteenth of February, as follows: —]

"In answer to the two resolutions of the Senate, of the fifteenth instant, marked 'Executive,' and which I have received, I state, respectfully, that all the communications from me to the Senate relating to the Congress at Panama have been made, like all other communications upon executive business, in confidence, and most of them in compliance with a resolution of the Senate requiring them confidentially. Believing that the established usage of free confidential communications between the Executive and the Senate, ought, for the public interest, to be preserved unimpaired, I deem it my indispensable duty to leave to the Senate itself the decision of a question."

Sir, if he would leave to the Senate the decision of the question, I would agree with him; but the evil genius of the American House of Stuart prevailed, — he goes on to say that the question "involves a departure, hitherto, so far as I am informed, without example, from that usage, and upon the motives for which, not being informed of them, I do not feel myself competent to decide." If this had been prosecuted for a libel, what jury would have failed to have found a verdict on such an innuendo? that we were breaking up from our own usages to gratify personal spleen? I say nothing about our movements, because he was not informed of them; the innuendo was that our motives were black and bad. That moment did I put, like Hannibal, my hand on the altar, and swear eternal enmity against him and his, politically. From that moment I would do anything within the limits of the Constitution and the law; for, as Chatham said of Wilkes, I would not, in the person of the worst of men, violate those sanctions and privileges which are the safeguard of the rights and liberties of the best; — but, within the limits of the Constitution and the law, if I don't carry on the war, whether in the Peninsula or anywhere else, it shall be for want of resources. . . . Who made him a judge of our usages? Who

constituted him? He has been a professor, I understand,—I wish he had left off the pedagogue when he got into the Executive chair. Who made him the *censor morum* of this body? Will any one answer this question? Yes or no? Who? Name the person. Above all, who made him the searcher of hearts, and gave him the right, by an innuendo black as hell, to blacken our motives?—blacken our motives—I did not say that then—I was more under self-command; I did not use such strong language,—I said if he could borrow the eye of Omniscience himself, and look into every bosom here,—if he could look into that most awful, calamitous, and tremendous of all possible gulfs, the naked, unveiled human heart—stripped of all its coverings of self-love—exposed naked as to the eye of God—I said if he could do that, he was not, as President of the United States, entitled to pass upon our motives, although he saw and knew them to be bad. I said if he had converted us to the Catholic religion, and was our Father Confessor, and every man in this house at the footstool of the Confessional had confessed a bad motive to him, by the laws of his Church, as by this Constitution, above the law and above the Church, he, as President of the United States, could not pass on our motives, though we had with our own lips told him our motives and confessed they were bad. I said this then, and I say it now. Here I plant my foot—here I fling defiance right into his teeth, before the American people. Here I throw the gauntlet to him and the bravest of his compeers, to come forward and defend these miserable dirty lines: "Involving a departure, hitherto, so far as I am informed, without example, from that usage, and upon the motives for which, not being informed of them, I do not feel myself competent to decide!" Amiable modesty! I wonder we did not, all at once, fall in love with him; and agree, *una voce*, to publish our proceedings—except myself—for I quitted the Senate ten minutes before the vote was taken. I saw what was to follow—I knew the thing would not be done at all, or would be done unanimously. Therefore, in spite of the remonstrances of friends, I went away, not fearing that any one would doubt what my vote would have been, if I had stayed. After twenty-six hours' exertion, it was time to give in. I was defeated, horse, foot, and dragoons—cut up and clean broke down—by the coalition of Blifil and Black George—by the combination, unheard of till then, of the Puritan with the blackleg.

Having disposed of this subject, I shall say one word more and sit down. I said, on the subject already adverted to, let the Senate take a dignified stand,—don't let them say: We sent to you for that thing, you sent us this; therefore, we shall not go any further,—we shall stop. Let them behave like Romans, like Conscript Fathers. I am sorry I was prevailed on to withdraw my motion, even to make way for that of the gentleman from Portsmouth, New Hampshire. But she once went with us—we rode through the equinoctial gale together—Portsmouth overcame the first Adams, and Portsmouth, New Hampshire, I trust, will overcome the second. I should not have made this allusion, but for a toast I heard lately from a friend of mine,—"Those who fell with the first Adams rise with the second." Very true —*c'est vrai.* Agreed,—they who fell under the wrath and desperation of the first Adams—the dust and ashes of men—have risen too. I saw one of them this morning. We too have risen, and the strife is to come. North Carolina has started forth boldly and manfully, like the fine fellow at the battle of the Nile—I believe he was an American—he led the van, and I humbly follow in the wake. It is skirmishing with the light-armed troops—with the voltigeurs. I hope we shall here form a phalanx, a legion; I hope to see, not only Hector in the field, but Troilus and a host of worthies with him. If not, we too shall have to sing *Fuit Ilium*,—we too shall have to sing: "Where the Capitol stood, there grows the harvest." We must put our shoulders to the wheel. Having put our hand to the plow, we must not fall back. How men can find time to be sick I can't conceive,—I must be dead before I could refrain at a call like this.

I never write out speeches. I am glad I am singular in that respect. But I would not lose those that have been published, and those that are about to be published very soon (on the Panama mission), for all the books that have been written in defense of constitutions,—that on the British Constitution included. We poor narrow-minded wretches believed that it was not our business to go on a crusade to Terra del Fuego, to prevent somebody making a settlement where man cannot live, or to the North Pole. Our business is to attend to the interests and rights of the American Confederacy here. Like Hector's wife who was found spinning amongst her maids, we did believe that the care of our household was our main concern. The card table has gone out of fashion now; even lotteries are denounced —I don't mean such a one as

that granted to Jefferson by the legislature of Virginia — I should have voted for that bill if I had been there; horse racing and billiards are no longer in vogue. All these having been discarded, what is got up in their place? The same meddling, obtrusive, intrusive, restless, self-dissatisfied spirit shows itself in another way. The *ennui* breaks out in a new place,— the *tedium vitæ* appears in Sunday Schools, Missionary Societies, subscriptions to Colonization Societies, taking care of the Sandwich Islanders, free negroes, and God knows who. It is the same spirit which drove men from home to the card table, to the billiard table, and the horse race. It is a matter of fact that a gentleman told me that, going to visit a very pious lady and gentleman in Virginia, the little negroes were so ragged as to be obliged to hide for shame, and the women of the family were employed in making pantaloons and jackets for the free negroes at Liberia. Whenever any of these ministers, male or female, come to me with their complaints and petitions for aid, I never can forget Gil Blas and Señor Manuel Ordonnez, who got rich and lived comfortably by administering the funds of the poor. If we cannot get here an account of the money we vote by appropriation, I should like to see a settlement of the accounts of the Otaheitans. I should like to see the vouchers of the expenditures for these Sandwich Islanders and these Liberian people,—I am afraid we should have to settle them on equitable principles,— they would never pass the Treasury. When I cannot get an account from my own steward, as a private man; when, as a public man, I do not know what has become of the millions of the people's money, should I not be the veriest ass that ever existed to expect a proper application of money when there is half the diameter of the globe between me and the applicant? I hold out this as a hint to all benevolent gentlemen and ladies, whose good hearts are imposed on for the support of sturdy beggars, who would rather beg than work. Begging is gone out of fashion for oneself,— it is for some miserable establishment; we must convert the Catholics at Panama; we must convert the Jews; — "Give me the money, my dear madam, and I will see it properly applied." We are now doing in this country what has been done in every country under the sun,— as the old cheats wear out, new ones spring up. As the old faro banks wear out, banks of discount spring up. When, in Virginia, we had billiard tables, and cards, and races, and not half the population we now have, I could produce you two honest

men where we can now show one. We have no faro bank, no billiard table; we have hardly a race,—we have got too good to run races,—but we are not too good to embezzle the money intrusted to us, or to do anything that is covered up under the garment of religion. Hypocrisy is the only sin that walks abroad that cannot be discerned, except by the eye of God alone; yet, when you see a man's whole conduct at variance with his religious profession, you will not be defective in charity alone if you do not come to the conclusion that, like Manuel Ordonnez, he is pretty much of a cheat.

I find, sir, that the regular speech I had been preparing for the Senate has not arrived at its due term of parturition. But, in due time, I trust it will make its appearance. I will trespass no longer on the time and patience of the Senate—but there is more behind—come out it shall—redeem the pledge I will—I will show that this Panama mission is a Kentucky cuckoo's egg, laid in a Spanish-American nest. I will show that the President of the United States and his ministers have Jonathan-Russelled the Congress of the United States—that he has held one language at one time, on the same subject, to one House of Congress, while to another House he has held a different language on the same subject. I will not bring it here in notes. I will have the letters printed in parallel passages, that they may be compared with the style of the Department of State—whether the Department of State be, in this case, the President of the United States, or whether it be the officer who presides over that department, it will show sufficient to satisfy any man of common penetration that these things were manufactured here, and that this Don Salazar, or whatever he is, had just as much hand in it as the grand inquisitor had in the commission with which Don Raphael and broker Ambrose de Lamela, in company with Gil Blas, made a visit to the Jew, and rifled his coffers. I will prove to any man—they may write what Spanish they please—carry it to an indifferent translator, and there shall be no similarity in style, grammatical construction, or anything else, between the letter they write and the letter which it is alleged they have written, and which has been translated and sent to us. Why were not the originals sent? Is the name of the translator given? No. They are not sent as purporting to be translations.

This is a strange world. The man who is whistling over the furrow, at the time he is turning in corn to give bread to his

wife and family, knows no more of what is doing here than a man in South America. He does not know that they who never did plant corn, or never shall plant corn again, are to take the best part of his crop. He does not know, while his horses are poor because he cannot afford to keep them fat, that horses are driven in this city that are fed out of his crib — he does not know this, because you get the money from him tarifically — he is tarified, as we say in Virginia. He is taxed for all the real necessaries of life — and how does his money go? I wish he could come here to see. If every man in the United States could spend one day in Washington — if every woman could spend one hour here — and God forbid that my wife or daughter should spend more! — then you would have salvation for the Republic. It must be some special interposition of Providence, though working by secondary causes, that will snatch this nation from the down-hill progress it is making, not merely to bankruptcy, but to perdition. We may flatter ourselves as long as we please, and think, and talk, and brag, and boast, in Fourth of July orations and others, of being the most enlightened people under the sun — we may be all that, and yet be radically ignorant. We are going the road that has ruined nations before us — we are copying, as far as we are able, the worst parts of the British system, leaving out the best — and who are we, that we should be exempt from the law which the author of the being of all mankind has imposed on them? What is the history of man, and what is he? The young lady who thinks so highly of her Philander, her Werter, her Sylvio, who will go with him to a certain point — who will go with him to the bottom of the garden and listen to the nightingale and the mocking bird, and talk sweet sentiment — but if she go so far as that, she is lost — she had much better go to her grandmamma, and not Philander. So it is with a nation — the man who says this is but a trifle — a peccadillo — I was absent for a few days from the Senate, but none will think of it — *c'est le premier pas qui coute* — the moment a man leaves the path of religion or virtue — the moment he takes Paley and the Jesuits to ascertain how far he may go on the border line of villainy without overstepping it — that man or woman is lost. Our situation is awful beyond conception — we are in a state of utter ignorance of ourselves, and perhaps I may be supposed at this time worrying the patience of the Senate, when they would rather I should take my seat. It is my duty to leave

nothing undone that I may lawfully do, to pull down this administration. I see it, and only wait till the third of March, 1829—this month three years—and if the people do not step in to correct the procedure, I am much mistaken if I ever take their part again—and why, sir? I do not think the honor of a daughter is to be preserved at the expense of bars and bolts; for, where the mind is polluted, what care I who has the worthless possession of the body? He who goes out *animo furandi*, is a thief, whether he exact a purse or not. So it is with a nation. They who, from indifference, or with their eyes open, persist in hugging the traitor to their bosom, deserve to be insulted with different messages than this; they deserve to be slaves, with no other music to soothe them than the clank of the chains which they have put on themselves and given to their offspring.

## AGAINST PROTECTIVE TARIFFS

(From a Speech Delivered in the House of Representatives, April 15th, 1824)

IN ALL beneficial changes in the natural world—and the sentiment is illustrated by one of the most beautiful effusions of imagination and genius that I ever read—in all those changes, which are the work of an all-wise, all-seeing, and superintending Providence, as in the insensible gradation by which the infant bud expands into manhood, and from manhood to senility, or, if you will, to caducity itself—you find nature never working but by gradual and imperceptible changes; you cannot see the object move, but take your eye from it for a while, and, like the index of that clock, you can see that it has moved. The old proverb says: "God works good, and always by degrees." The devil, on the other hand, is bent on mischief, and always in a hurry. He cannot stay: his object is mischief, which can best be effected suddenly, and he must be gone to work elsewhere. But we have the comfort, under the pressure of this measure, that at least no force is exercised upon us; we are not obliged to buy goods of foreign manufacture. It is true, sir, that gentlemen have not said you shall not send your tobacco or cotton abroad; but they have said the same thing in other words; by preventing the importation of the returns which we used to receive, and without which the sale or exchange of our produce is impracticable, they say to us: "You shall sell only to us, and we will

give you what we please; you shall buy only of us, but at what price we please to ask." But no force is used! You are at full liberty not to buy or to sell. Sir, when an English judge once told a certain curate of Brentford that the court of chancery was open equally to the rich and the poor, Horne Tooke replied: "So, my lord, is the London tavern." You show a blanket or a warm rug to a wretch that is shivering with cold, and tell him: "You shall get one nowhere else, but you are at liberty not to buy mine."

No Jew who ever tampered with the necessities of a profligate young heir, lending him money at a usury of cent. per cent., ever acted more paternally than the advocates of this bill, to those upon whom it is to operate. "I advise you, young man, for your good," says the usurer. "I do these things very reluctantly," says Moses — "these courses will lead you to ruin." But, no force — no, sir, no force, short of Russian despotism, shall induce me to purchase, or, knowing it, to use any article from the region of country which attempts to cram this bill down our throats. On this, we of the South are as resolved as were our fathers about the tea, which they refused to drink; for this is the same old question of the Stamp Act in a new shape, namely, whether they, who have no common feeling with us, shall impose on us, not merely a burdensome, but a ruinous tax, and that by way of experiment and sport. And I say again, if we are to submit to such usurpations, give me George Grenville, give me Lord North for a master. It is in this point of view that I most deprecate the bill. If, from the language I have used, any gentleman shall believe I am not as much attached to this Union as any one on this floor, he will labor under a great mistake. But there is no magic in this word "Union." I value it as the means of preserving the liberty and happiness of the people. Marriage itself is a good thing, but the marriages of Mezentius were not so esteemed. The marriage of Sinbad the Sailor with the corpse of his deceased wife was a union; and just such a union will this be, if, by a bare majority in both houses, this bill shall become a law.

# THOMAS B. REED

(1839–)

THOMAS BRACKETT REED, Republican leader in the House of Representatives from 1889 to 1899, was born at Portland, Maine, October 18th, 1839. Educated for the law, he began to practice in Portland in 1865. In 1877 he was elected to Congress, where he served consecutively for twenty-two years. Elected Speaker in 1889, he represented his party either in the chair of the House or as its leader on the floor, until his resignation in 1899. The eloquent address, here published by permission from an authorized text, will be recognized by his friends as characteristic, though the elevation of its sentiment and the adequacy of its expression may be a surprise to those who think of the ex-Speaker only as the author of 'Reed's Rules.'

## THE IMMORTALITY OF GOOD DEEDS

(Delivered in Philadelphia in 1898 on the Semi-Centennial of Girard College)

SIX hundred and fifty or seventy years ago, England, which, during the following period of nearly seven centuries, has been the richest nation on the face of the globe, began to establish the two great universities which, from the banks of the Cam and the Isis, have sent forth great scholars and priests and statesmen whose fame is the history of their own country, and whose deeds have been part of the history of every land and sea. During all that long period, reaching back two hundred and fifty years before it was even dreamed that this great hemisphere existed; before the world knew that it was swinging in the air and rolling about the sun, kings and cardinals, nobles and great churchmen, the learned and the pious, began bestowing upon those abodes of scholars their gifts of land and money; and they have continued their benefactions down to our time. What those universities, with all their colleges and halls teeming with scholars for six hundred years, have done for the progress of civilization and the good of man, this whole evening could not begin to tell.

Even your imaginations cannot, at this moment, create the surprising picture. Nevertheless, the institution at which most of you are, or have been, pupils is at the beginning of a career with which those great universities and their great history may struggle in vain for the palm of the greatest usefulness to the race of man. One single fact will make it evident that this possibility is not the creation of imagination or the product of that boastfulness which America will some day feel herself too great to cherish, but a simple and plain possibility which has the sanction of mathematics, as well as hope.

Although more than six centuries of regal, princely, and pious donations have been poured into the purses of these venerable aids to learning, the munificence of one American citizen to-day affords an endowment income equal to that of each university, and, when the full century has completed his work, will afford an income superior to the income of both. When Time has done his perfect work, Stephen Girard, mariner and merchant, may be found to have come nearer immortality than the long procession of kings and cardinals, nobles and statesmen, whose power was mighty in their own days, but who are only on their way to oblivion. I am well aware that this college of orphans, wherein the wisdom of the founder requires facts and things to be taught rather than words and signs, can as yet make no claim to that higher learning so essential to the ultimate progress of the world; but it has its own mission as great and as high, and one which connects itself more nearly with the practical elevation of mankind.

Whether the overruling Providence, of which we talk so much and know so little, has each of us in his kindly care and keeping, we shall better know when our minds have the broader scope which immortality will make possible. But, however men may dispute over individual care, his care over the race as a whole fills all the pages of human history. Unity and progress are the watchwords of the Divine guidance, and no matter how harsh has been the treatment by one man of thousands of men, every great event, or series of events, has been for the good of the race. Were this the proper time, I could show that wars — and wars ought to be banished forever from the face of the earth; that pestilences — and the time is coming when they will be no more; that persecutions and inquisitions — and liberty of thought is the richest pearl of life, — that all these things — wars, pesti-

lences, and persecutions — were but helps to the unity of mankind. All things, including our own natures, bind us together for deep and unrelenting purposes.

Think what we should be, who are unlearned and brutish, if the wise, the learned, and the good could separate themselves from us; were free from our superstitions and vague and foolish fears, and stood loftily by themselves, wrapped in their own superior wisdom. Therefore hath it been wisely ordained that no set of creatures of our race shall be beyond the reach of their helping hand,—so lofty that they will not fear our reproaches, or so mighty as to be beyond our reach. If the lofty and the learned do not lift us up, we drag them down. But unity is not the only watchword; there must be progress also. Since, by a law we cannot evade, we are to keep together, and since we are to progress, we must do it together, and nobody must be left behind. This is not a matter of philosophy; it is a matter of fact. No progress which did not lift all, ever lifted any. If we let the poison of filthy diseases percolate through the hovels of the poor, Death knocks at the palace gates. If we leave to the greater horror of ignorance any portion of our race, the consequences of ignorance strike us all, and there is no escape. We must all move, but we must all keep together. It is only when the rear-guard comes up that the vanguard can go on.

Stephen Girard must have understood this. He took under his charge the progress of those who needed his aid, knowing that if they were added to the list of good citizens, to the catalogue of moral, enterprising, and useful men, there was so much added, not to their happiness only, but to the welfare of the race to which he belonged. For his orphans the vanguard need not wait. Your founder also understood what education was. Most men brought up as he was on shipboard and on shore, with few books and fewer studies, if they cared for learning at all, would have had for learning an uncouth reverence, such as the savage has for his idol, a reverence for the fancied magnificence of the unknown. This would have led him to establish a university devoted to out-of-the-way learning beyond his ken, or to link his name to glories to which he could not aspire. But the man who named his vessels after the great French authors of his age, and who read their works himself, knew from them, and from his own laborious and successful life, that learning was not all of education, and so gave his orphans an entrance into a

practical world with such learning as left the whole field of learning before them, if they wanted it, with power to make fortunes besides.

It is strange to watch the growth into fame and respect and reverence of Stephen Girard as his plan of conferring a benefaction upon the city and the people whom he loved has slowly unfolded itself before their gaze. The generation in which he lives can seldom understand the really great man. We live for to-day, and he lives for a day after to-day. He takes on the century in which he lives and a hundred years after he has passed away. The man of mediocrity must make his hay under the shine of the present sun, and so must clasp every hand he can touch and make us think he loves us all. But the greatest merchant of his time, with the noblest ambition of them all, was so resolute in his pursuit of wealth, and so coldly determined in all his endeavors, that he seems to have uncovered to few or to none the generous purpose of his heart. What he said to the man who was so unworthy to write his first biography, but who was forced to bless when he had gone forth to curse, is the secret of his career. "My actions must make my life," he said, and of his life not one moment was wasted. "Facts and things rather than words and signs" were the warp and woof of his existence. No wonder he left the injunction that this should be the teaching of those objects of his bounty into whose faces he was never to look.

The vast wealth which Girard had was of itself alone evidence of greatness.

I have not forgotten the epitaph on Colonel Charters, who died rich and infamous,—that you could see what God thought of riches by the people he gave them to. Fortunes may be made and lost. Fortunes may be inherited. These things mean nothing. But the fortune which has given us all our surroundings to-night was made and firmly held in a hand of eighty years. That meant greatness. But when the dead hand opens and pours the rich bloom of a preparation for life over six thousand boys in the half-century which has gone and thousands in centuries to come, that means more than greatness. Mr. Girard gave more than his money. He put into his enterprise his own powerful brain, and, like the ships he sent to sea, long after his death the adventure came home laden, not with the results of his capital alone, but of his forethought and his genius. He builded for so

many years that the stars will be cold before his work is finished. We envious people, who cannot be wealthy any more than we can add a cubit to our stature, avenge ourselves by thinking and proclaiming that pursuit of wealth is sordid and stifles the nobler sentiments of the soul. Whether this be so or not, if whoever makes to grow two blades of grass where but one grew before is a benefactor of his race, he also is a benefactor who makes two ships sail the sea where but one encountered its storms before. However sordid the owner may be, this is a benefit of which he cannot deprive the world.

That men who have achieved great riches are not always shut out by their riches from the nobler emotions, Stephen Girard was himself a most illustrious example. A hundred years ago this city was under the black horror of a plague. So terrible was the fear that fell upon the city, that the tenderest of domestic ties — the love of husband and wife and of parents for children — seemed obliterated. Even gold lost its power in the multitudinous presence of impending death. There was no refuge even in the hospital, which, reeking with disease, was a hell out of which there was no redemption. Neither money nor affection could buy service. "Fear was on every soul."

Girard was then in the prime of life, forty-two years old, in health and strength, already rich, and with a future as secure as ever falls to human lot. Of his own accord, as a volunteer, he took charge of the interior of the deadly hospital, and for two long and weary months stood face to face with Death.

A poet himself has sung in vain of what makes the little songs linger in our hearts for ages, while epics perish and tragedies pass out of sight. Why this is so we shall never know by reason alone. Deep down in the human heart there is a tenderness for self-sacrifice which makes it seem loftier than the love of glory, and reveals the possibility of the eternal soul.

Wars and sieges pass away and great intellectual efforts cease to stir our hearts, but the man who sacrifices himself for his fellows lives forever.

We forget the war in which was the siege of Zutphen, and almost the city itself, but we shall never forget the death of Sir Philip Sidney. Scholars alone read the work of his life, but all mankind honors him in the story of his death. The great war of the Crimea, in our own day, with its generals and marshals, and its bands of storming soldiery, has almost passed from our mem-

ories, but the time will never come when the charge of Balaklava will cease to stir the heart or pass from story or from song. It happened to Stephen Girard, mariner and merchant, seeking wealth and finding it, whose ships covered every sea, whose intellect penetrated, as your treasurer's books will show, a hundred years into the future, to light up his life by a deed more noble than the dying courtesy of Sidney and braver than the charge of the Six Hundred, for he walked under his own orders day by day and week by week, shoulder to shoulder with death, and was not afraid. How fit, indeed, it is that amidst these temples which are the tribute to his intellect should stand the tablet which is the tribute to his heart!

Surely, if the immortal dead, serene with the wisdom of eternity, are not above all joy and pride, he must feel a thrill to know that no mariner or merchant ever sent forth a venture upon unknown seas which came back with richer cargoes or in statelier ships.

# SIR JOSHUA REYNOLDS

(1723–1792)

THE English Royal Academy was founded in 1768 with Sir Joshua Reynolds as its first President, and his annual addresses delivered before it are to art what the speeches of Chatham are to the politics of England. They show that while eloquence was only an incident with him, he might easily have attained the same eminence in expressing his ideas through words that he did in giving them immortality with his brush. The views on 'Genius and Imitation' he embodies in his address of 1774 could have had their origin only in a mind of the highest order and of the most diversified experience. He was born at Plympton in Devonshire, July 16th, 1723. After studying in London under Thomas Hudson, he established himself in that city as a portrait painter in 1746. Three years later he went to Italy, remaining until 1752, when he returned to London, where he spent the remainder of his life, dying February 23d, 1792. Among his most celebrated works are portraits of Johnson, Garrick, Sterne, and Mrs. Siddons. He was one of the contributors to the Idler, and was instrumental in founding the Literary Club. It happened to him to have his genius more fully recognized by his contemporaries than is the rule with men of his intellectual rank. He was the friend of Burke, Goldsmith, Garrick, and Dr. Johnson, and in 1784 he became Court Painter. His addresses before the Royal Society published as 'Discourses' have become a classic.

## GENIUS AND IMITATION

(From an Address at the Royal Academy, December 10th, 1774)

IT IS very natural for those who are unacquainted with the cause of anything extraordinary to be astonished at the effect, and to consider it as a kind of magic. They who never have observed the gradation by which art is acquired, who see only what is the full result of long labor and application of an infinite number and infinite variety of acts, are apt to conclude, from their entire inability to do the same at once, that it is not only

inaccessible to themselves, but can be done by those only who have some gift of the nature of inspiration bestowed upon them.

The travelers into the East tell us that when the ignorant inhabitants of those countries are asked concerning the ruins of stately edifices yet remaining amongst them, the melancholy monuments of their former grandeur and long-lost science, they always answer that they were built by magicians. The untaught mind finds a vast gulf between its own powers and those works of complicated art, which it is utterly unable to fathom; and it supposes that such a void can be passed only by supernatural powers. . . .

To derive all from native power, to owe nothing to another, is the praise which men who do not much think on what they are saying bestow sometimes upon others, and sometimes on themselves; and their imaginary dignity is naturally heightened by a supercilious censure of the low, the barren, the groveling, the servile imitator. It would be no wonder if a student frightened by these terrific and disgraceful epithets with which the poor imitators are so often loaded should let fall his pencil in mere despair;—conscious, as he must be, how much he has been indebted to the labors of others, how little, how very little of his art was born with him, and consider it as hopeless to set about acquiring, by the imitation of any human master, what he is taught to suppose is matter of inspiration from heaven.

Some allowance must be made for what is said in the gaiety of rhetoric. We cannot suppose that any one can really mean to exclude all imitation of others. A position so wild would scarce deserve a serious answer; for it is apparent, if we were forbid to make use of the advantages which our predecessors afford us, the art would be always to begin, and consequently remain always in its infant state; and it is a common observation that no art was ever invented and carried to perfection at the same time.

But to bring us entirely to reason and sobriety, let it be observed that a painter must not only be of necessity an imitator of the works of nature, which alone is sufficient to dispel this phantom of inspiration, but he must be as necessarily an imitator of the works of other painters; this appears more humiliating, but is equally true; and no man can be an artist, whatever he may suppose, upon any other terms. . . .

Genius is supposed to be a power of producing excellencies, which are out of the reach of the rules of art;—a power which no precepts can teach, and which no industry can acquire.

This opinion of the impossibility of acquiring those beauties, which stamp the work with the character of genius, supposes that it is something more fixed than in reality it is; and that we always do, and ever did agree in opinion with respect to what should be considered as the characteristic of genius. But the truth is, that the degree of excellence which proclaims genius is different, in different times and different places; and what shows it to be so is that mankind have often changed their opinion upon this matter.

When the arts were in their infancy, the power of merely drawing the likeness of any object was considered as one of its greatest efforts. The common people, ignorant of the principles of art, talk the same language even to this day. But when it was found that every man could be taught to do this, and a great deal more, merely by the observance of certain precepts, the name of genius then shifted its application, and was given only to him who added the peculiar character of the object he represented; to him who had invention, expression, grace, or dignity; in short, those qualities, or excellencies, the power of producing which could not then be taught by any known and promulgated rules. . . .

What we now call genius begins not where rules abstractedly taken end, but where known vulgar and trite rules have no longer any place. It must, of necessity, be that even works of genius, like every other effect, as they must have their cause, must likewise have their rules; it cannot be by chance that excellencies are produced with any constancy or any certainty, for this is not the nature of chance; but the rules by which men of extraordinary parts, and such as are called men of genius, work, are either such as they discover by their own peculiar observations, or of such a nice texture as not easily to admit being expressed in words; especially as artists are not very frequently skillful in that mode of communicating ideas. Unsubstantial, however, as these rules may seem, and difficult as it may be to convey them in writing, they are still seen and felt in the mind of the artist; and he works from them with as much certainty as if they were embodied, as I may say, upon paper. It is true these refined principles cannot be always made palpable, like the

more gross rules of art; yet it does not follow but that the mind may be put in such a train that it shall perceive, by a kind of scientific sense, that propriety which words, particularly words of unpracticed writers, such as we are, can but very feebly suggest.

Invention is one of the great marks of genius; but if we consult experience, we shall find that it is by being conversant with the inventions of others, that we learn to invent; as by reading the thoughts of others, we learn to think.

Whoever has so far formed his taste as to be able to relish and feel the beauties of the great masters has gone a great way in his study; for, merely from a consciousness of this relish of the right, the mind swells with an inward pride, and is almost as powerfully affected as if it had itself produced what it admires. Our hearts, frequently warmed in this manner by the contact of those whom we wish to resemble, will undoubtedly catch something of their way of thinking; and we shall receive in our own bosoms some radiation, at least, of their fire and splendor. That disposition which is so strong in children still continues with us, of catching involuntarily the general air and manner of those with whom we are most conversant; with this difference only, that a young mind is naturally pliable and imitative, but in a more advanced state it grows rigid, and must be warmed and softened before it will receive a deep impression.

From these considerations, which a little of your own reflection will carry a great way further, it appears of what great consequence it is that our minds should be habituated to the contemplation of excellence; and that, far from being contented to make such habits the discipline of our youth only, we should, to the last moment of our lives, continue a settled intercourse with all the true examples of grandeur. Their inventions are not only the food of our infancy, but the substance which supplies the fullest maturity of our vigor.

The mind is but a barren soil; a soil which is soon exhausted, and will produce no crop, or only one, unless it be continually fertilized and enriched with foreign matter.

When we have had continually before us the great works of art to impregnate our minds with kindred ideas, we are then, and not till then, fit to produce something of the same species. We behold all about us with the eyes of those penetrating observers whose works we contemplate; and our minds, accustomed to think the thoughts of the noblest and brightest intellects, are

prepared for the discovery and selection of all that is great and noble in nature. The greatest natural genius cannot subsist on its own stock; he who resolves never to ransack any mind but his own, will be soon reduced, from mere barrenness, to the poorest of all imitations; he will be obliged to imitate himself, and to repeat what he has before often repeated. When we know the subject designed by such men, it will never be difficult to guess what kind of work is to be produced.

It is vain for painters or poets to endeavor to invent without materials on which the mind may work, and from which invention must originate. Nothing can come of nothing.

Homer is supposed to be possessed of all the learning of his time; and we are certain that Michael Angelo and Raphael were equally possessed of all the knowledge in the art which had been discovered in the works of their predecessors.

A mind enriched by an assemblage of all the treasures of ancient and modern art will be more elevated and fruitful in resources, in proportion to the number of ideas which have been carefully collected and thoroughly digested. There can be no doubt but that he who has the most materials has the greatest means of invention; and if he has not the power of using them, it must proceed from a feebleness of intellect, or from the confused manner in which those collections have been laid up in his mind.

The addition of other men's judgment is so far from weakening our own, as is the opinion of many, that it will fashion and consolidate those ideas of excellence which lay in embryo, feeble, ill-shaped, and confused, but which are finished and put in order by the authority and practice of those whose works may be said to have been consecrated by having stood the test of ages.

The mind, or genius, has been compared to a spark of fire, which is smothered by a heap of fuel, and prevented from blazing into a flame. This simile, which is made use of by the younger Pliny, may be easily mistaken for argument or proof. But there is no danger of the mind's being overburdened with knowledge, or the genius extinguished by any addition of images; on the contrary, these acquisitions may as well, perhaps better, be compared, if comparisons signified anything in reasoning, to the supply of living embers, which will contribute to strengthen the spark, that without the association of more fuel would have died away. The truth is, he whose feebleness is such as to

make other men's thoughts an incumbrance to him can have no very great strength of mind or genius of his own to be destroyed; so that not much harm will be done at worst.

We may oppose to Pliny the greater authority of Cicero, who is continually enforcing the necessity of this method of study. In his dialogue on Oratory, he makes Crassus say that one of the first and most important precepts is to choose a proper model for our imitation. *Hoc sit primum in præceptis meis, ut demonstremus quem imitemur.* . . .

It is a necessary and warrantable pride to disdain to walk servilely behind any individual, however elevated his rank. The true and liberal ground of imitation is an open field, where, though he who precedes has had the advantage of starting before you, you may always propose to overtake him; it is enough, however, to pursue his course; you need not tread in his footsteps, and you certainty have a right to outstrip him if you can.

# FREDERICK W. ROBERTSON

(1816–1853)

FREDERICK WILLIAM ROBERTSON, whose death at the early age of thirty-seven alone prevented him from becoming one of the most celebrated orators of the nineteenth century, was born in London, February 3d, 1816. The son of a captain in the Royal Artillery, he was educated at Edinburgh University with the expectation that he would become a lawyer, but abandoning the law and leaving the army after a short experience, he studied for the Church at Oxford, and in 1840 began his ministry at Cheltenham. From 1847 until his death, August 15th, 1853, he had charge of Trinity Chapel at Brighton. The boldness of his views and the eloquence of their expression soon gave him international celebrity. Five editions of his sermons, and at least two editions of his lectures, have been published.

## THE HIGHEST FORM OF EXPRESSION

(From an Address Delivered at Brighton in 1852)

LANGUAGE has been truly called fossil poetry; and just as we apply to domestic use slabs of marble, unconscious almost that they contain the petrifactions of innumerable former lives, so in our every-day language we use the living poetry of the past, unconscious that our simplest expressions are the fossil forms of feeling which once was vague, and labored to express itself in the indirect analogies of materialism. Only think from whence came such words as "attention," "understanding" "imagination."

As language becomes more forcible and adequate, and our feelings are conveyed, or supposed to be conveyed entirely, poetry in words becomes more rare. It is then only the deeper and rarer feelings, as yet unexpressed, which occupy the poet. Science destroys poetry until the heart bursts into mysticism, and out of science brings poetry again, asserting a wonder and a

vague mystery of life and feeling, beneath and beyond all science, and proclaiming the wonderfulness and mystery of that which we seem most familiarly to understand.

I proceed to give you illustrations of this position, that "poetry is the indirect expression of that which cannot be expressed directly." An American writer tells us that in a certain town in America there is a statue of a sleeping boy, which is said to produce a singular feeling of repose in all who gaze on it; and the history of that statue, he says, is this: The sculptor gazed upon the skies on a summer's morning, which had arisen as serene and calm as the blue eternity out of which it came; he went about haunted with the memory of that repose — it was a necessity to him to express it. Had he been a poet he would have thrown it into words; a painter, it would have found expression on the canvas; had he been an architect he would have given us his feelings embodied as the builders of the Middle Ages embodied their aspirations in a Gothic architecture; but being a sculptor, his pen was the chisel, his words stone, and so he threw his thoughts into the marble. Now observe, first, this was intense feeling longing to express itself; next, it was intense feeling expressing itself indirectly, direct utterance being denied it. It was not enough to say, "I feel repose"; infinitely more was to be said; more than any words could exhaust: the only material through which he could shape it and give to airy nothing a body and a form was the imperfectly expressive material of stone.

From this anecdote we may understand in what sense all the high arts, such as sculpture, painting, and poetry, have been called imitative arts. There was no resemblance between the sleeping boy and a calm morning; but there was a resemblance between the feeling produced by the morning and that produced by gazing on the statue. And it is in this resemblance between the feeling conceived by the artist and the feeling produced by his work that the imitation of poetry or art lies. The fruit which we are told was painted by the ancient artist so well that the birds came and pecked at it, and the curtain painted by his rival so like reality that he himself was deceived by it, were imitative so far as clever deception imitates; but it was not high art any more than the statue which many of you saw in the exhibition last year was high art, which at a distance seemed covered with a veil, but on nearer approach turned out to be mere deceptive resemblance of the texture, cleverly executed in

stone. This is not the poetry of art; it is only the imitation of one species of material in another species: whereas poetry is the imitating, by suggestion through material and form, of feelings which are immaterial and formless.

Another instance. At Blenheim, the seat of the Duke of Marlborough, there is a Madonna into which the old Catholic painter has tried to cast the religious conceptions of the Middle Ages, virgin purity and infinite repose. The look is upwards, the predominant color of the picture blue, which we know has in itself a strange power to lull and soothe. It is impossible to gaze on this picture without being conscious of a calming influence. During that period of the year in which the friends of the young men of Oxford come to visit their brothers and sons, and Blenheim becomes a place of favorite resort, I have stood aside near that picture to watch its effect on the different gazers, and I have seen group after group of young undergraduates and ladies, full of life and noisy spirits, unconsciously stilled before it, —the countenance relaxing into calmness, and the voice sinking to a whisper. The painter had spoken his message, and human beings, ages after, feel what he meant to say.

You may, perhaps, have seen in this town some years ago an engraving in the windows of the printsellers, called the "Camel of the Desert." I cannot say it was well executed. The engraving was coarse, and the drawing, in some points, false; yet it was full of poetry. The story tells itself. A caravan has passed through the desert; one of the number has been seized with a dangerous illness, and, as time is precious, he has been left to die, but as there is a chance of his recovery, his camel has been left beside him, and in order that it may not escape, the knee of the animal has been forcibly bent, the upper and lower bones tied together, and the camel couched on the ground incapable of rising. The sequel is that the man has died, and the camel is left to its inevitable doom. There is nothing to break the deep deathfulness of the scene. The desert extends to the horizon without interruption, the glowing heat being shown by the reflection of the sun from the sands in a broad band of light, just as it glows on the sea on a burning summer day.

Nothing, I said, breaks the deathfulness of the scene; there is only one thing that adds to it. A long line of vultures is seen in the distance, and one of these loathsome birds is hovering above the dead and the doomed; the camel bends back his neck

to watch it, with an expression of terror and anguish almost human, and anticipates its doom. You cannot look at the print without a vivid sense and conception of despair. You go through street after street before the impression ceases to haunt you. Had the plate been better executed, it is quite possible it might not have been so poetical. The very rudeness and vagueness of it leave much to the imagination. Had the plumage of the vulture, or the hair of the camel more accurately copied the living texture, or the face of the corpse been more deathlike, so as, instead of kindling the imagination with the leading idea, to have drawn away the attention to the fidelity with which the accessories had been painted, the poetry would have been lessened. It is the effort to express a feeling, and the obstacles in the way of the expression, which together constitute the poetical. . . .

I love those passages in the Bible which speak of this universe as created by the word of God. For the word is the expression of the thought; and the visible universe is the thought of the eternal, uttered in a word or form, in order that it might be intelligible to man. And for an open heart and a seeing eye it is impossible to gaze on this creation without feeling that there is a spirit at work, a living word endeavoring to make himself intelligible, laboring to express himself through symbolism and indirect expression, because direct utterance is impossible; partly on account of the inadequacy of the materials, and partly in consequence of the dullness of the heart, to which the infinite love is speaking. And thus the word "poet" obtains its literal significance of maker, and all visible things become to us the chaunted poem of the universe.

These feelings, of course, come upon us most vividly in what we call the sublime scenes of nature. I wish I could give to the working men in this room one conception of what I have seen and witnessed, or bring the emotions of those glorious spots to the hearts of those who cannot afford to see them. I wish I could describe one scene, which is passing before my memory this moment, when I found myself alone in a solitary valley of the Alps, without a guide, and a thunderstorm coming on; I wish I could explain how every circumstance combined to produce the same feeling, and ministered to unity of impression: the slow, wild wreathing of the vapors round the peaks, concealing their summits, and imparting in semblance their own motion, till each dark mountain form seemed to be mysterious and

alive; the eagle-like plunge of the Lämmer-geier, the bearded vulture of the Alps; the rising of the flock of choughs, which I had surprised at their feast on carrion, with their red beaks and legs, and their wild shrill cries, startling the solitude and silence, —till the blue lightning streamed at last, and the shattering thunder crashed as if the mountains must give way: and then came the feelings, which in their fullness man can feel but once in life; mingled sensations of awe and triumph, and defiance of danger, pride, rapture, contempt of pain, humbleness, and intense repose, as if all the strife and struggle of the elements were only uttering the unrest of man's bosom; so that in all such scenes there is a feeling of relief, and he is tempted to cry out exultingly: There! there! all this was in my heart, and it was never said out till now!

But do not fancy that poetry belongs to the grander scenes of nature only. The poets have taught us that throughout the whole world there is a significance as deep as that which belongs to the more startling forms, through which power speaks.

Burns will show you the poetry of the daisy:—

"Wee, modest, crimson-tippit flower,"

—which the plow turns up unmarked; and Tennyson will tell you the significance, and feeling, and meaning there are in the black ash-bud, and the crumpled poppy, and the twinkling laurels, and the lights which glitter on the panes of the gardener's greenhouse, and the moated grange, and the long, gray flats of "unpoetic" Lincolnshire. Read Wordsworth's 'Nutting,' and his fine analysis of the remorse experienced in early youth at the wanton tearing down of branches, as if the desolation on which the blue sky looks reproachfully through the open space where foliage was before were a crime against life, and you will feel the intuitive truth of his admonition that "there is a Spirit in the woods."

Nay, even round this Brighton of ours, treeless and prosaic as people call it, there are materials enough for poetry, for the heart that is not petrified in conventional maxims about beauty. Enough in its free downs, which are ever changing their distance and their shape, as the lights and cloud-shadows sail over them, and over the graceful forms of whose endless variety of slopes the eye wanders, unarrested by abruptness, with an entrancing

feeling of fullness, and a restful satisfaction to the pure sense of form. And enough upon our own seashore and in our rare sunsets. A man might have watched with delight, beyond all words, last night, the long, deep purple lines of cloud, edged with intolerable radiance, passing into orange, yellow, pale green, and leaden blue, and reflected below in warm, purple shadows, and cold, green lights, upon the sea — and then, the dying of it all away. And then he might have remembered those lines of Shakespeare; and often quoted as they are, the poet would have interpreted the sunset, and the sunset what the poet meant by the exclamation which follows the disappearance of a similar aërial vision —

> "We are such stuff
> As dreams are made of: and our little life
> Is rounded with a sleep."

# MAXIMILIEN MARIE ISIDORE ROBESPIERRE

(1758–1794)

WITHOUT Danton's audacity or Mirabeau's brilliancy in impromptu speaking, Robespierre exceeded them both in tense, intellectual activity. As an orator, he is remarkable among all the speakers of the French Revolution because of his mastery of the method of Rousseau — the attempt to grasp abstract truth as an entity and apply it as a guiding principle in politics. In his earlier speeches, Robespierre shows a mind sincere and patriotic, if narrow and suspicious. Under the strain of the great and terrible events with which he was connected, without being able to control or even to direct them, his intellect ceased to be normal in its operations. He remained logical at the expense of his reason; and finally he became one of the most formidable of many formidable madmen, ready to sacrifice to their objects, not only their opponents, but themselves.

Mirabeau judged Robespierre correctly in saying of him: "This man will go far. He believes what he says." As a young enthusiast he believed in liberty, justice, and a future of increasing happiness for the world, to be attained by the overthrow of tyranny. As a Terrorist, he attempted to re-establish "the worship of the Supreme Being," and after he had made up his mind that he would inevitably be guillotined, he spent his leisure time taking long walks in the woods and fields around Paris, reading Young's poems and meditating on the meaning of nature and of life. He was the most dangerous of all fanatics — an idealist, who to achieve his purpose had adopted the most criminal methods of those whose oppressive systems he condemned. He was born at Arras, May 6th, 1758, and educated as an advocate, but at thirty-one years of age he entered politics as a member of the Third Estate in the States-General (1789), and during the remaining five years of his life so divested himself of all restraining influences that the terror inspired by his name made it impossible for his generation to judge either his motives or his achievements by any standard which did not presuppose his condemnation before the evidence was heard. When on July 28th, 1794, he went to the guillotine, he left a world in which he was universally execrated, and its judgment given then is never likely to be reversed. If, however, the history of his times were lost, and he could be judged only

by his own speeches, he might appear one of the benefactors of the race. No other speeches ever delivered have had so great and so formidable an effect of destructiveness. Their importance as a part of the history of the human intellect cannot be overestimated.

## AGAINST CAPITAL PUNISHMENT

(Delivered in the Constituent Assembly, May 30th, 1791)

THE news having been brought to Athens that Athenian citizens had been sentenced to death in the town of Argos, the people hastened to the temples to implore the gods to divert the Athenians from thoughts so cruel and so baleful. I come to urge, not the gods, but the legislators, who should be the organ and the interpreters of the eternal laws the Divinity has dictated to men, to strike from the French code the laws of blood, which command judicial murder,—which are repugnant to their habits and to their new Constitution. I will prove to them: Firstly, that the death penalty is essentially unjust; secondly, that it is not the most repressive of punishments, and that it increases crimes much more than it prevents them.

Outside of civil society, let an inveterate enemy attempt to take my life, or, twenty times repulsed, let him again return to devastate the field my hands have cultivated. Inasmuch as I can only oppose my individual strength to his, I must perish or I must kill him, and the law of natural defense justifies and approves me. But in society, when the strength of all is armed against one single individual, what principle of justice can authorize it to put him to death? What necessity can there be to absolve it? A conqueror who causes the death of his captive enemies is called a barbarian! A man who causes a child that he can disarm and punish, to be strangled, appears to us a monster! A prisoner that society convicts is at the utmost to that society but a vanquished, powerless, and harmless enemy. He is before it weaker than a child before a full-grown man.

Therefore, in the eyes of truth and justice, these death scenes which it orders with so much preparation are but cowardly assassinations,—solemn crimes committed, not by individuals, but by entire nations, with due legal forms. However cruel, however extravagant these laws may be, be not astonished. They are the handiwork of a few tyrants; they are the chains with which they

load down humankind; they are the arms with which they subjugate them! They were written in blood! "It is not permitted to put to death a Roman citizen"—this was the law that the people had adopted; but Sylla conquered and said: "All those who have borne arms against me deserve death." Octavius, and the companions of his misdeeds, confirmed this law.

Under Tiberius, to have praised Brutus was a crime worthy of death. Caligula sentenced to death those who were sacrilegious enough to undress before the image of the Emperor. When tyranny had invented the crimes of *lèse-majesté* (which might be either trivial acts, or heroic deeds), he who should have dared to think that they could merit a lighter penalty than death would himself been held guilty of *lèse-majesté*.

When fanaticism, born of the monstrous union of ignorance, and despotism in its turn invented the crimes of *lèse-majesté* against God,—when it thought, in its frenzy, to avenge God himself,—was it not obliged to offer him blood and to place him on the level of the monsters who called themselves his images? The death penalty is necessary, say the partisans of antiquated and barbarous routine! Without it there is no restraint strong enough against crime. Who has told you so? Have you reckoned with all the springs through which penal laws can act upon human sensibility? Alas! before death how much physical and moral suffering cannot man endure!

The wish to live gives way to pride, the most imperious of all the passions which dominate the heart of man. The most terrible punishment for social man is opprobrium; it is the overwhelming evidence of public execration. When the legislator can strike the citizens in so many places and in so many ways, how can he believe himself reduced to employ the death penalty? Punishments are not made to torture the guilty, but to prevent crime from fear of incurring them.

The legislator who prefers death and atrocious punishments to the mildest means within his power outrages public delicacy, and deadens the moral sentiment of the people he governs, in a way similar to that in which an awkward teacher brutalizes and degrades the mind of his pupil by the frequency of cruel chastisements. In the end, he wears and weakens the springs of government, in trying to bend them with greater force.

The legislator who establishes such a penalty renounces the wholesome principle that the most efficacious method of repress-

ing crimes is to adapt the punishments to the character of the various passions which produce them, and to punish them, so to speak, by their own selves. He confounds all ideas, he disturbs all connections, and opposes openly the object of all penal laws.

The penalty of death is necessary, you say? If such is the case, why have several nations been able to do without it? By what fatality have these nations been the wisest, the happiest, and the freest? If the dealth penalty is the proper way to prevent great crimes, it must then be that they were rarer with these people who have adopted and extended it. Now, the contrary is exactly the case. See Japan; nowhere are the death penalty and extreme punishments so frequent; nowhere are crimes so frequent and atrocious. It is as if the Japanese tried to dispute in ferocity the barbarous laws which outrage and irritate them. The republics of Greece, where punishments were moderate, where the death penalty was either very rare or absolutely unknown, — did they produce more crimes or less virtues than the countries governed by the laws of blood? Do you believe that Rome was more disgraced by heinous crimes, when, in the days of her glory, the Porcian law had abolished the severe punishments applied by the kings and by the decemvirs, than she was under Sylla who had revived them, and under the emperors who exerted their rigor to a degree in keeping with their infamous tyranny? Has Russia suffered any upheaval since the despot who governs her suppressed entirely the death penalty, as if he wished to expiate by that act of humanity and philosophy the crime of keeping millions of men under the yoke of absolute power?

Listen to the voice of justice and of reason; it cries to us that human judgments are never certain enough to warrant society in giving death to a man convicted by other men liable to error. Had you imagined the most perfect judicial system; had you found the most upright and enlightened judges, there will always remain some room for error or prejudice. Why interdict to yourselves the means of reparation? Why condemn yourself to powerlessness to help oppressed innocence? What good can come of the sterile regrets, these illusory reparations you grant to a vain shade, to insensible ashes? They are the sad testimonials of the barbarous temerity of your penal laws. To rob the man of the possibility of expiating his crime by his repentance [illegible] virtue; to close to him without mercy every return

towards a proper life, and his own esteem; to hasten his descent, as it were, into the grave still covered with the recent blotch of his crime, is in my eyes the most horrible refinement of cruelty.

The first duty of the lawmaker is to form and to conserve public morals, as the source of all liberty, the source of all social happiness. When, to attain some special aim, he loses sight of this general and essential object, he commits the grossest and most fatal of errors. Therefore the laws must ever present to the people the purest model of justice and of reason. If, in lieu of this puissant severity, of this moderate calmness which should characterize them, they replace it by anger and vengeance; if they cause human blood to flow which they can prevent — which they have no right to spill; if they exhibit to the eyes of the people cruel scenes and corpses bruised by tortures,— then they change in the hearts of the citizens all ideas of the just and of the unjust; they cause to germinate in the bosom of society ferocious prejudices which in their turn again produce others. Man is no longer for man an object so sacred as before. One has a lower idea of his dignity when public authority makes light of his life. The idea of the murder fills us with less horror when the law itself sets the example and provides the spectacle; the horror of the crime diminishes from the time law no longer punishes it except by another crime. Have a care not to confound the efficacy of punishment with excess of severity; the one is absolutely opposed to the other. Everything favors moderate laws; everything conspires against cruel laws. It has been remarked that in free countries crimes are of rarer occurrence and the penal laws lighter; all ideas are linked together. Free countries are those in which the rights of man are respected, and where, consequently, the laws are just. Where they offend humanity by an excess of rigor, it is a proof that there the dignity of man is not known and that the dignity of the citizen does not exist. It is a proof that the legislator is but a master who commands slaves and punishes them mercilessly according to his whim.

## «IF GOD DID NOT EXIST, IT WOULD BE NECESSARY TO INVENT HIM»

(From a Speech at the Jacobin Club, November 21st, 1793)

Let men, animated by pure zeal, lay on the altar of their country the useless and pompous monuments of superstition. Let others renounce such ceremonies, and adopt on all matters the opinion which seems to them most comformable with true reason. Philosophy can only applaud their conduct. But by what title does hypocrisy come here to mingle with that of civism and virtue? What right have men, hitherto unknown in the Revolution, to come into the midst of you, to seek in passing events false popularity, to hurry on patriots to fatal measures, and to throw among them the seeds of trouble and discord? By what right do they disturb the existing worship in the name of liberty, and attack fanaticism by fanaticism of another kind? By what right will they degrade the solemn homage rendered to truth into an eternal and ridiculous farce? One would suppose the convention had proscribed the Catholic faith: it has done no such thing. It has, on the contrary, by a solemn decree, established the liberty of worship. It will alike proscribe the ministers of religion who disturb, and protect those who respect the public peace. It is the Royalist, not the Catholic priesthood whom it has with justice persecuted. We have heard of priests being denounced for having said Mass; they will only say it the more for being disturbed: whoso would prevent them is a greater fanatic than he who says the Mass. There are men who would go further; who, under the guise of destroying superstition, would establish atheism itself. Every philosopher, every individual, is at liberty to adopt whatever opinion he pleases, but the legislator would be a thousand times blamable who adopted such a system. The convention abhors all such attempts; it is no maker of metaphysical theories: it is a popular body, whose mission is to cause, not only the rights, but the character of the French people to be respected. Not in vain has it proclaimed the rights of man in the presence of the Supreme Being.

They will say, perhaps, that I am prejudiced, that I am a man of narrow mind, that I am a fanatic. I have already said that I do not here speak as an individual, nor as a systematic

philosopher, but a representative of the people. Atheism is aristocratic. The idea of a Supreme Being, who watches over oppressed innocence, and punishes triumphant crime, is altogether popular. The people, the unfortunate, will always applaud me; I shall find detractors only among the rich and the guilty. I have from my youth upwards been but an indifferent Catholic, but I have never been a cold friend, or a faithless defender of humanity. I am even more strongly attached to moral than political truth. If God did not exist, it would be necessary to invent him. I speak here in a tribune where the impudent Guadet dared to accuse me of having pronounced the word "Providence," as if that were a crime. And when? When my heart was ulcerated with all the crimes of which we were the witnesses and the victims,—when shedding bitter, powerless tears on the misery of the people, eternally betrayed, eternally oppressed, I endeavored to raise myself above the crowd of impure conspirators who environed me, and invoked against them celestial vengeance, in default of the thunder of the people! And if every tyranny should reappear amongst us, where is the energetic and virtuous soul that would not appeal in secret to that eternal justice which seems to have been written in all hearts? It seems to me that the last martyr of liberty would exhale his soul with a more tender sentiment relying on that consoling idea. This sentiment is the sentiment of Europe, of the Universe; it is that of the French people. The people is not attached, either to priests, or to superstition; it is only attached to the idea of an incomprehensible power, the terror of crime, the support of virtue, to whom it is pleased to render those homages which are due to it, and which are so many anathemas against injustice and triumphant crime!

## HIS DEFENSE OF TERRORISM

(From an Address to the Convention, February 5th, 1794)

After having marched for a long time at hazard, and, as it were, carried away by the movement of contrary factions, the representatives of the people have at last formed a government. A sudden change in the nation's fortune announced to Europe the regeneration which had been operated in the national representation; but up to this moment we must admit that we have been rather guided in these stormy circumstances

by the love of good, and by a sense of the country's wants, than by any exact theory or precise rules of conduct.

It is time to distinguish clearly the aim of the Revolution and the term to which we would arrive. It is time for us to render account to ourselves, both of the obstacles which still keep us from that aim, and of the means which we ought to take to attain it.

What is the aim to which we tend?

The peaceful enjoyment of liberty and equality; the reign of that eternal justice, of which the laws have been engraved, not upon marble, but upon the hearts of all mankind—even in the hearts of the slaves who forget them, or of the tyrants who have denied them!. We desire a state of things, wherein all base and cruel passions shall be enchained, all generous and beneficent passions awakened by the laws; wherein ambition should be the desire of glory, and glory the desire of serving the country; wherein distinctions should arise but from equality itself; wherein the citizen should submit to the magistrate, the magistrate to the people, and the people to justice; wherein the country assures the welfare of every individual; wherein every individual enjoys with pride the prosperity and the glory of his country; wherein all minds are enlarged by the continual communication of republican sentiments, and by the desire of meriting the esteem of a great people; wherein arts should be the decorations of that liberty which they ennoble, and commerce the source of public wealth, and not the monstrous opulence of some few houses. We desire to substitute morality for egotism, probity for honor, principles for usages, duties for functions, the empire of reason for the tyranny of fashions, the scorn of vice for the scorn of misfortune, pride for insolence, greatness of soul for vanity, the love of glory for the love of money, good citizens for good society, merit for intrigue, genius for cleverness, truth for splendor, the charm of happiness for the *ennui* of voluptuousness, the grandeur of man for the pettiness of the great, a magnanimous people, powerful, happy, for a people amiable, frivolous, and miserable; that is to say, all the virtues and all the miracles of a republic for all the vices and all the follies of a monarchy.

What is the nature of the government which can realize these prodigies? The democratic, or republican government.

Democracy is that state in which the people, guided by laws which are its own work, executes for itself all that it can well

do, and, by its delegates, all that it cannot do itself. But to found and consolidate democracy, we must first end the war of liberty against tyranny, and traverse the storm of the Revolution. Such is the aim of the revolutionary system which you have organized; you ought, therefore, to regulate your conduct by the circumstances in which the republic finds itself; and the plan of your administration ought to be the result of the spirit of revolutionary government, combined with the general principles of democracy.

The great purity of the French Revolution, the sublimity even of its object, is precisely that which makes our force and our weakness. Our force, because it gives us the ascendency of truth over imposture, and the rights of public interest over private interest. Our weakness, because it rallies against us all the vicious; all those who in their hearts meditate the robbery of the people; all those who, having robbed them, seek impunity; all those who have rejected liberty as a personal calamity; and those who have embraced the Revolution as a trade, and the republic as a prey. Hence the defection of so many ambitious men, who have abandoned us on our route, because they did not commence the journey to arrive at the same object as we did. We must crush both the interior and exterior enemies of the republic, or perish with her. And in this situation, the first maxim of your policy should be to conduct the people by reason and the enemies of the people by terror. If the spring of popular government during peace is virtue, the spring of popular government in rebellion is at once both virtue and terror; virtue, without which terror is fatal! terror, without which virtue is powerless! Terror is nothing else than justice, prompt, secure, and inflexible! It is, therefore, an emanation of virtue; it is less a particular principle than a consequence of the general principles of democracy, applied to the most urgent wants of the country.

It has been said that terror is the instrument of a despotic government. Does yours then resemble despotism? Yes, as the sword which glitters in the hand of a hero of liberty resembles that with which the satellites of tyranny are armed! The government of a revolution is the despotism of liberty against tyranny. Is force, then, only made to protect crime? Is it not also made to strike those haughty heads which the lightning has doomed? Nature has imposed upon every being the law of self-

preservation. Crime massacres innocence to reign, and innocence struggles with all its force in the hands of crime. Let tyranny but reign one day, and on the morrow there would not remain a single patriot. Until when will the fury of tyranny continue to be called justice, and the justice of the people barbarity and rebellion? How tender they are to oppressors,—how inexorable to the oppressed! Nevertheless, it is necessary that one or the other should succumb. Indulgence for the Royalist! exclaimed certain people. Pardon for wretches! No! Pardon for innocence, pardon for the weak, pardon for the unhappy, pardon for humanity!

## MORAL IDEAS AND REPUBLICAN PRINCIPLES

(From an Address Read to the Committee of Public Safety, May 7th, 1794)

*Citizens:—*

EVERY doctrine which consoles and elevates the mind ought to be received; reject all those which tend to degrade it and corrupt it. Reanimate—exalt—every generous sentiment and those great moral truths which some have attempted to extinguish. Who has commissioned thee to announce to the people that the Divinity exists not, O thou who art impassioned for this arid doctrine, and who hast no passion for thy country? What advantage is there in persuading man that a blind force presides over his destiny, and strikes at hazard both crime and virtue? that his soul is but a breath, which is dissipated at the portal of the tomb?

Will the idea of his annihilation inspire him with purer or more elevated sentiments than that of his immortality? Will it inspire him with greater respect for mankind or for himself; more devotion for his country; more boldness against tyranny; or more contempt for death? You who regret a virtuous friend, you love to think that his soul has escaped death! You who weep over the coffin of a son or of a wife, are you consoled by him who tells you that nothing more remains of them than the vile dust? Ye unfortunate who perish by the blade of an assassin —your last sigh is an appeal to eternal justice. Innocence upon the scaffold makes the tyrant in his triumphal chariot turn pale. Would it have this power if the grave leveled the oppressor and

the oppressed? The more sensibility and genius a man has, the more he attaches himself to ideas which elevate him; and the doctrine of such men becomes that of the world.

The idea of the Supreme Being and of the immortality of the soul is a continual appeal to justice: this idea is then social and republican. I know of no legislator who ever attempted to nationalize atheism. I know that the wisest among them have mingled some fiction with truth, to strike the imaginations of the ignorant, or to attach them more firmly to their institutions. Lycurgus and Solon had recourse to the authority of oracles, and Socrates himself, to accredit truth amongst his fellow-citizens, was obliged to persuade them that he was inspired by a familiar demon.

You will not thence conclude that it is necessary to deceive men to instruct them, but only that you are fortunate in living in an age and in a country whose enlightenment leaves us no other task to fulfill than to recall men to nature and to truth.

Be very cautious not to sever the sacred bond which unites men to the Author of their being.

And what has been substituted in place of what has been destroyed? Nothing—if it be not chaos and violence. They despised the people too much to take the trouble of persuading them; in lieu of enlightening them, they desired only to irritate and deprave them.

If the principles which I have developed so far are errors, I err, at least, with all whom the world reveres. Let us learn the lessons of history. Remark how men who have influenced the destiny of States were determined towards one or the other of two opposite systems by their personal character, and even by the nature of their political views. See with what profound art Cæsar, pleading in the Roman Senate in favor of the accomplices of Catiline, wanders into a digression against the dogma of the immortality of the soul; so much did these ideas appear to him calculated to extinguish in the hearts of the judges the energy of virtue; so closely did the cause of vice appear to him allied to atheism. Cicero, on the contrary, invoked against traitors both the sword of the law and the thunder of the gods. Socrates, when dying, conversed with his friends on the immortality of the soul. Leonidas, at Thermopylæ, supping with his companions in arms on the eve of one of the most heroic designs that human virtue ever conceived, invited them on the morrow to a banquet

in another world. There is some distance between Socrates and Chaumette, between Leonidas and Père Duchêne!

A great man, a veritable hero, esteems himself too highly to delight in the idea of his annihilation. A wretch, contemptible in his own eyes, horrible in those of others, feels that nature cannot bestow upon him a better gift than annihilation.

A sect propagated with great zeal the materialism which prevailed amongst the nobles and the *beaux esprits;* to it is owing, in great part, that practical philosophy which, reducing egotism to a system, regards human society as a war of cunning, success as the rule of the just and of the unjust, honesty as an affair of taste and convenience, and the world as the patrimony of adroit rogues. Amongst those who, at the time of which I speak, signalized themselves in the career of letters and of philosophy, one man, Rousseau, by the elevation of his mind and the grandeur of his character, showed himself worthy of being the preceptor of the human race. He openly attacked tyranny. He spoke with the enthusiasm of the Divinity; his masculine and virtuous eloquence painted in glowing colors the charms of virtue; it defended those consolatory dogmas with which reason supports the human heart. The purity of his doctrine, drawn from nature, and in profound hatred of vice, no less than his invincible contempt for the intriguing sophists who usurped the name of philosophers, drew upon him the hatred and persecution of his rivals and of his false friends. Ah, if he had witnessed this Revolution, of which he was the precursor, and which has carried him to the Pantheon, who can doubt that his generous soul would have embraced with transport the cause of justice and equality? But what have his cowardly adversaries done for it? They have fought against the Revolution from the moment they feared that it would raise the people above them.

The traitor Guadet denounced a citizen for having pronounced the name of Providence! We heard, some time afterwards, Hébert accuse another for having written against atheism! Was it not Vergniaud and Gensonné, who, in your presence, wished to banish from the preamble of the Constitution the name of the Supreme Being, which you had placed therein? Danton, who smiled with pity at the words of virtue, glory, and posterity; Danton, whose system was to debase all that could elevate the mind; Danton, who was cold and dumb during the greatest dangers of liberty, supported them. Fanatics, hope nothing from us!

To recall men to the pure worship of the Supreme Being is to give a mortal blow to fanaticism. All fiction disappears before truth, and every folly falls before reason. Without constraint, without persecution, every sect ought to amalgamate itself with the universal religion of nature. Ambitious priests, do not expect, then, that we shall re-establish your empire! Such an enterprise would be even above our power. You have destroyed yourselves. And, besides, what is there in common between the priests and God? How different is the God of nature from the God of priests! I know of nothing so resembling atheism as the religions they have made. They have so disfigured the Supreme Being that they have done their best to destroy the idea; they have made him sometimes a globe of fire, sometimes an ox, sometimes a tree, sometimes a man, and sometimes a king. Priests created a God in their own image — they made him jealous, capricious, covetous, cruel, and implacable. They have treated him as the mayors of the palace treated the descendants of Clovis, to reign in his name, and to put themselves in his place; they have exiled him to heaven, and have only called him upon earth, to serve him in their demand for wealth, honors, pleasures, and power. The true priest of the Supreme Being is nature; his temple the universe; his religion virtue; his fêtes the joy of a great people assembled under his eyes, to draw closer the sweet bonds of universal fraternity, and to present to him the homage of pure and sensitive hearts.

Let us leave the priests and return to the Divinity. Let us establish morality upon an eternal and sacred basis; let us inspire in man that religious respect for man — that profound sentiment of his duties, which is the sole guarantee of social happiness.

Woe on him who seeks to extinguish this sublime enthusiasm and to stifle by desolating doctrines this moral instinct of the people, which is the principle of all great actions! It belongs to you, representatives of the people, to cause the truths we have developed to triumph. Brave the wild clamor of presumptuous ignorance, of hypocritical perversity! Will posterity believe that the vanquished factions carried their audacity so far as to accuse us of moderation and of aristocracy because we recalled the ideas of the Divinity and morality? Will it believe that in this hall it was said that we had thus thrown human reason back several centuries? Let us not be surprised if all the wretches combined

against us prepare hemlock for us; but before we drink it, let us save the country. The vessel which bears the fortune of the republic is not destined to be wrecked; she sails under your auspices, and the storm itself will be compelled to respect her.

The enemies of the republic are all corrupt men. The patriot is in every sense an honest and magnanimous man. It is little to annihilate kings; we must make every nation respect the character of the French people. It is useless to bear to the end of the universe the renown of our arms, if every passion tears with impunity the bosom of our own country. Let us beware of the intoxication of success! Let us be terrible in reverses, modest in triumph, and let us secure peace and happiness by wisdom and morality. That is the true aim of our labors — that our heroic and difficult task. We believe we shall achieve this aim by proposing the following decree: —

Article First. — The French people recognize the existence of the Supreme Being, and the immortality of the soul.

Article Second. — They acknowledge that the worship worthy of the Supreme Being is one of the duties of man.

## DEMANDING THE KING'S DEATH

(From the Address Delivered in Convention, December 3d, 1792)

WHAT is the conduct prescribed by sound policy to cement the republic? It is to engrave deeply into all hearts a contempt for royalty, and to strike terror into the partisans of the King. To place his crime before the world as a problem, his cause as the object of the most imposing discussion that ever existed, to place an immeasurable space between the memory of what he was and the title of a citizen, is the very way to make him most dangerous to liberty. Louis XVI. was King, and the republic is established. The question is solved by this single fact. Louis is dethroned by his crimes, he conspired against the republic; either he is condemned or the republic is not acquitted. To propose the trial of Louis XVI. is to question the Revolution. If he may be tried, he may be acquitted; if he may be acquitted, he may be innocent. But, if he be innocent, what becomes of the Revolution? If he be innocent, what are we but his calumniators? The coalition is just; his imprisonment is

a crime; all the patriots are guilty; and the great cause which for so many centuries has been debated between crime and virtue, between liberty and tyranny, is finally decided in favor of crime and despotism!

Citizens, beware! you are misled by false notions. The majestic movements of a great people, the sublime impulses of virtue present themselves as the eruption of a volcano, and as the overthrow of political society. When a nation is forced to recur to the right of insurrection, it returns to its original state. How can the tyrant appeal to the social compact? He has destroyed it! What laws replace it? Those of nature: the people's safety. The right to punish the tyrant or to dethrone him is the same thing. Insurrection is the trial of the tyrant — his sentence is his fall from power; his punishment is exacted by the liberty of the people. The people dart their thunderbolts, that is, their sentence; they do not condemn kings, they suppress them — thrust them back again into nothingness. In what republic was the right of punishing a tyrant ever deemed a question? Was Tarquin tried? What would have been said in Rome if any one had undertaken his defense? Yet we demand advocates for Louis! They hope to gain the cause; otherwise we are only acting an absurd farce in the face of Europe. And we dare to talk of a republic! Ah! we are so pitiful for oppressors because we are pitiless towards the oppressed!

Two months since, and who would have imagined there could be a question here of the inviolability of kings? Yet to-day a member of the National Convention, Citizen Pétion, brings the question before you as though it were one for serious deliberation! O crime! O shame! The tribune of the French people has echoed the panegyric of Louis XVI. Louis combats us from the depths of his prison, and you ask if he be guilty, and if he may be treated as an enemy. Will you allow the Constitution to be invoked in his favor? If so, the Constitution condemns you; it forbids you to overturn it. Go, then, to the feet of the tyrant and implore his pardon and clemency.

But there is another difficulty,— to what punishment shall we condemn him? The punishment of death is too cruel, says one. No, says another, life is more cruel still, and we must condemn him to live. Advocates, is it from pity or from cruelty you wish to annul the punishment of crimes? For myself I abhor the penalty of death; I neither love nor hate Louis; I hate

nothing but his crimes. I demanded the abolition of capital punishment in the Constituent Assembly, and it is not my fault if the first principles of reason have appeared moral and judicial heresies. But you who never thought this mercy should be exercised in favor of those whose offenses are pardonable, by what fatality are you reminded of your humanity to plead the cause of the greatest of criminals? You ask an exception from the punishment of death for him who alone could render it legitimate! A dethroned King in the very heart of a republic not yet cemented! A King whose very name draws foreign wars on the nation! Neither prison nor exile can make his an innocent existence. It is with regret I pronounce the fatal truth! Louis must perish rather than a hundred thousand virtuous citizens! Louis must perish because our country must live!

## AT THE FESTIVAL OF THE SUPREME BEING

(Delivered in Paris at the "Festival of the Supreme Being," June 8th, 1794)

*Frenchmen, Republicans:—*

At last it has come, this always happy day which the French people consecrated to the Supreme Being! Never has the world he created offered to him a spectacle so worthy of his contemplation! He has seen tyranny, crime, and imposture reign on earth. He sees at this moment an entire nation, which is battling against all oppressors of humankind, suspend the course of her heroic labors to elevate her thoughts and her aspirations towards the Great Being who bestowed upon her the mission to undertake them and the strength to execute them!

Is it not he whose immortal hand, in imprinting on the heart of man the code of justice and equality, traced thereon the sentence of death for the tyrants? Is it not he who from the beginning of time, decreed the republic, and placed on the order of the day for all the centuries and for all nations, liberty, good faith, and justice?

He has not created kings to devour the human species; he has not created priests to harness us like brutes to the chariot of kings and to give the world the example of baseness, of pride, of perfidy, of avarice, of debauchery, and of mendacity; but he created the universe to make known his might; he created men

to be helpful to each other, mutually to love one another and to reach happiness by the path of virtue!

It is he who has planted in the bosom of the triumphant oppressor remorse and terror, and in the heart of the innocent oppressed calmness and pride; it is he who compels the just man to hate the evil-doer, and the evil-doer to respect the just man; it is he who has crowned with modesty the brow of beauty, to more enhance it; it is he who causes the maternal heart to palpitate with tenderness and joy; it is he who bathes with tears of delight the eyes of the son pressed upon the bosom of his mother; it is he who causes the most imperious, and the tenderest passions to become silent before the sublime love of country; it is he who has spread upon Nature her wealth and her majesty. All that is good is his work, or is himself; the evil comes from depraved man who oppresses or who allows his fellow-men to be oppressed.

The Author of Nature had united all mortals by a great chain of love and happiness; perish the tyrants who dared to tear it asunder! Frenchmen, Republicans! It devolves upon you to purify the earth they have contaminated, and to recall justice which they have banished from it! Liberty and virtue emanated together from the bosom of the Divinity: the one cannot dwell among men without the other. O generous nation, would you triumph over all your enemies? Exercise justice, and thus render to the Divinity the only worship worthy of him. O people, let us to-day give ourselves up under the auspices of justice to the transports of a pure joy! To-morrow again we shall take up the battle against vice and tyrants, and we shall give to the world the example of republican virtues, thus doubly honoring it!

## HIS LAST WORDS

(Peroration of His Speech in the National Convention, July 26th, 1794)

When I see the mass of vices the torrent of the Revolution has rolled pell-mell with the civic virtues, I have sometimes trembled for fear of becoming tainted in the eyes of posterity by the impure vicinage of those perverse men who mingled in the ranks of the sincere defenders of humanity; but the overthrow of the rival factions has, as it were, emancipated all the vices; they believed that the only question for them was

to make division of the country as a booty, rather than make her free and prosperous. I am thankful that the fury which animates them against everything that opposes itself to their projects has traced the line of demarcation between them and all right-minded people; but if the Verres and the Catilines of France believe themselves already far enough advanced in the career of crime to expose on the rostrum the head of their accuser, I also have but now promised to my fellow-citizens a testament formidable to the oppressors of the people, and I bequeath to them from this moment opprobrium and death!

I conceive that it is easy for the league of the tyrants of the world to overwhelm a man; but I also know what are the duties of one who can die in defending the cause of humanity. I have seen in history all defenders of liberty overcome by ill-fortune or by calumny; but soon, their oppressors and their assassins also met their death. The good and the bad, the tyrants and the friends of liberty, disappear from the earth, but under different conditions. Frenchmen, do not allow your enemies to degrade your souls and to unnerve your virtues by a baleful heresy! No, Chaumette, no, Fouchet, death is not an unending sleep. Citizens, efface from the tombstones this impious maxim which throws a funeral crape upon all nature and flings insults upon death. Rather engrave that: "Death is the beginning of immortality!" My people, remember that if in the republic justice does not reign with absolute sway, and if this word does not signify love of equality and of country, then liberty is but a vain phrase! O people, you who are feared,—whom one flatters! you who are despised; you who are acknowledged sovereign, and are ever being treated as a slave—remember that wherever justice does not reign, it is the passions of the magistrates that reign instead, and that the people have changed their chains and not their destinies!

Remember that there exists in your bosom a league of knaves struggling against public virtue, and that it has a greater influence than yourselves upon your own affairs,—a league which dreads you and flatters you in the mass, but proscribes you in detail in the person of all good citizens!

Also recall it, that, instead of sacrificing this handful of knaves for your happiness, your enemies wish to sacrifice you to this handful of knaves,—authors of all our evils and the only obstacles to public prosperity!

Know, then, that any man who will rise to defend public right and public morals will be overwhelmed with outrage and proscribed by the knaves! Know, also, that every friend of liberty will ever be placed between duty and calumny; that those who cannot be accused of treason will be accused of ambition; that the influence of uprightness and principles will be compared to tyranny and the violence of factions; that your confidence and your esteem will become certificates of proscription for all your friends; that the cries of oppressed patriotism will be called cries of sedition; and that, as they do not dare to attack you in mass, you will be proscribed in detail in the person of all good citizens, until the ambitious shall have organized their tyranny. Such is the empire of the tyrants armed against us! Such is the influence of their league with corrupt men, ever inclined to serve them. Thus the unprincipled wretches impose upon us law to force us to betray the people, under penalty of being called dictators! Shall we subscribe to this law? No! Let us defend the people at the risk of becoming their victims! Let them hasten to the scaffold by the path of crime and we by that of virtue. Shall we say that all is well? Shall we continue to praise by force of habit or practice that which is wrong? We would ruin the country. Shall we reveal hidden abuses? Shall we denounce traitors?

We shall be told that we are unsettling the constituted authorities, that we are endeavoring to acquire personal influence at their cost. What are we to do? Our duty! What objection can be made to him who wishes to tell the truth, and who consents to die for it? Let us then say that there exists a conspiracy against public liberty; that it owes its strength to a criminal coalition which is intriguing even in the bosom of the convention; that this coalition has accomplices in the committee of general safety and in the offices of this committee, which they control; that the enemies of the Republic have opposed this committee to the committee of public safety, and have thus constituted two governments; that members of the committee of public safety have entered into this scheme of mischief; that the coalition thus formed tries to ruin all patriots and the fatherland.

What is the remedy for this evil? Punish the traitors, renew the offices of the committee of general safety, weed out this committee itself, and subordinate it to the committee of public safety; weed out the committee of public safety also, constitute the unity

of the government under the supreme authority of the National Convention, which is the centre and the judge, and thus crush all factions by the weight of national authority, in order to erect upon their ruins the power of justice and of liberty. Such are my principles. If it be impossible to support them without being taken for an ambitious one, I shall conclude that principles are proscribed and that tyranny reigns among us, but not that I should remain silent! For what can be objected to a man who is in the right and knows how to die for his country?

I was created to battle against crime, not to govern it. The time has not come when upright men may serve their country with impunity! The defenders of liberty will be but outlaws so long as a horde of knaves shall rule'

of Holies; God and man together, invisible and present in the most sacred of our mysteries. The violence is thus committed against Jesus Christ himself. The irreverence of this language is shocking, for religion also has its modesty; but the irreverence is that of the law. The sacrilege then consists, I take the law to witness, in an act of violence committed upon Jesus Christ. The crime punishable by the law, under the name of sacrilege, is a direct outrage on the Divine Majesty; that is to say, according to ancient ordinance, the crime of *lèse-majesté* divine; and as this crime exclusively springs from the Catholic dogma of the real presence, it results that if, in thought, we can separate from the wafers the real presence and divinity of Jesus Christ, the sacrilege disappears together with the penalty by which it is punished. It is the dogma which makes the crime, and it is also the dogma which gives it a name.

For three ages past the Christian religion has unfortunately been torn into Catholic and Protestant, and the dogma of the real presence is only true on this side of the strait which separates them; but beyond that it is false and idolatrous. Truth is limited by the seas, the rivers, and the mountains; it is determined, as Pascal says, by a meridian. There are as many varieties of truth as of State religions. Still more, if in every State, and under the same meridian, the political law should change, truth, a docile companion, changes with it, and all these truths, contradictory amongst themselves, have an equal claim to the title of immutable, absolute truth, of which, according to your law, we must be satisfied by executions that will at all times and places be equally just. Contempt of God and man cannot be carried farther than this, and yet such are the natural and necessary consequences of legal truth; it is impossible to avoid them when once the principle is admitted. Will it be said that this is not the principle of the law? Whenever this is asserted I shall still repeat that the law admits the legal sacrilege against consecrated wafers, if the real presence is not a legal truth.

But other consequences spring from the same principle. We do not play with religion as with men; we do not allot to it the part it is to take; we cannot say to it with authority: Thus far shalt thou go, and no farther. The sacrilege resulting from the profanation of consecrated wafers is provided against in your law; but why that one alone, when there are as many acts of sacrilege as there are modes of outraging the Deity? And why

the crime of sacrilege alone, when with equal audacity heresy and blasphemy are knocking at the door? Truth does not suffer these partial compromises. By what right does your profane hand thus divide the Divine Majesty, declaring it vulnerable upon one point alone, and invulnerable upon every other? Sensitive to acts of violence, but insensible to all other kinds of outrage. That writer is not wrong who declares your law to be paltry, fraudulent, and even atheistical! The moment that a single dogma of the Catholic religion enters into the law, that religion should be held true in its fullest extent, and all the others false; it should form a part of the constitution of the State, and thence spread itself through all its civil and political institutions.

In breaking a long silence, I have wished to mark my lively opposition to the theocratic principle which threatens at once society and religion, a principle so much the more serious that it is not, as in the days of barbarity and ignorance, the sincere fury of a too ardent zeal which relights this torch. There is no longer a St. Dominic, neither are we Albigenses. The theocracy of our time is less religious than political; it forms a part of that system of reaction which leads us on; and that which now renews it is its counter-revolutionary aspect. Without doubt, gentlemen, the revolution has been impious even to fanaticism and to cruelty; but let them take care, it was that crime, above all others, which caused its ruin; and we may predict to the counter-revolution that reprisals of cruelty, even if only written, will bear evidence against it, and blast it in its turn. I vote against the law.

## AGAINST PRESS CENSORSHIP

(Delivered in the French Chamber of Deputies in 1828)

In the ideas of some men, it was imprudent on the great day of creation to allow man, a free and intelligent being, to escape into the midst of the universe! A more lofty wisdom is now about to repair this fault of Providence and to render humanity, sagely mutilated, the service of elevating it at last to the happy innocence of the brute creation! The Author of all things formerly thought otherwise; but he was wrong! Truth is a good, say these men, more provident than nature, but error is an evil. Perish, then, both truth and error! As a prison is the

natural remedy for liberty, ignorance will be the natural remedy for intelligence; ignorance is the true science of man and of society! Gentlemen, a law which thus denies the existence of mind is an atheistical law and should not be obeyed! Alas! we have passed through periods when the authority of the law, having been usurped by tyranny, evil was called good, and virtue crime. During this fearful test we did not seek for the rule of our actions in the law, but in our consciences: we obeyed God rather than men. Must we, under the legitimate government, be brought back to these deplorable recollections? We shall still be the same men! Your law, be it well understood, will be vain, for France is better than its government! Counselors of the Crown, what have you done hitherto? Who has raised you above your fellow-citizens that you assume a right to impose a tyranny upon them? Obscure and ordinary men like ourselves, you only surpass us in temerity! Such senseless audacity can only be met with in factions. Your law, therefore, denounces a faction in the government with as much certainty as if this faction had denounced itself. I shall not ask it what it is, whence it comes, or whither it is going, for it would tell me falsehoods! I judge this faction by its works! It now proposes to you to destroy the liberty of the press; last year it exhumed from the Middle Ages the right of primogeniture, and the year before it introduced sacrilege! It is thus retrograding. It matters not to me whether it be called counter-revolution or otherwise; it is going backwards in religion and policy! It clings to fanaticism, to privilege, to ignorance, and to barbarism, or to the absurd domination which barbarism favors! The enterprise, however, will not be so easy to accomplish. In future not another line is to be printed in France! With all my heart! A brazen frontier shall preserve us from foreign contagion! Well and good! But for a long time discussion has existed in the world between good and evil, between the true and the false. It fills innumerable volumes, which have been read over and over, day and night, by an inquisitive generation. Whole libraries of books have passed into the minds of men. It is from thence you must banish them: have you a law ready for that purpose? So long as we shall not forget what we know, we shall be ill-disposed to brutishness and slavery. But the action of mind is not solely derived from books; springing from freedom of condition, it exists in labor, in riches, and in leisure; while it is nourished by the assemblages of towns and

the facility of communication. To enslave men it is necessary to disperse and to impoverish them, for misery is the safeguard of ignorance. Believe me, reduce the population, discard the men of industry from the soil, burn the manufactories, fill up the canals, plough up the highways. If you do not effect all this, you will have accomplished nothing; if the plow does not pass entirely over civilization, that which remains will be sufficient to baffle your efforts.

I cannot support the amendments of the committee, or indeed any amendments. The law is neither worthy nor susceptible of any. There is no arrangement to be made with the principle of tyranny by which it was dictated. I reject it purely and simply out of respect for humanity which it degrades, and for justice by which it is outraged.

# RICHARD RUMBOLD

(1622–1685)

NONE comes into the world with a saddle on his back, neither any booted and spurred to ride him." This sentence, which comes nearer, perhaps, than any other single saying on record to expressing adequately the spirit of modern times, was Richard Rumbold's farewell to the world as he stepped on the trap of the gallows at the Market Cross, in Edinburgh, where he was hanged, drawn, and quartered, after the Monmouth Rebellion in 1685. When asked if he did not think such a sentence dreadful, Rumbold replied that he wished he had a quarter for every town in Christendom. That there was no bravado in this, he shows by the quiet and strong assurance of his speech on the scaffold. That he did not go out of his way to find martyrdom, he demonstrated when, on the attempt of the militia of Hamilton of Raploch to arrest him, he killed one and wounded two before his horse was shot under him. "He was flying into England" (says Lord Fountainhall in his manuscript 'Memoirs,' quoted by Fox), "being conducted by one Turnbull, a man of Polwart. He was bold, answerable to his name, and killed one and wounded two in the taking, and if one had not been somewhat wiser than the rest by causing them to shoot his horse under him, he might have escaped them all. However, he undervalued much our Scotch soldiers as wanting both courage and skill. What had unfortunately engaged him in this enterprise was that he had been bred up from his infancy in the republican and antimonarchical principles; and he owned he had been fighting against these idols of monarchy and prelacy since he was nineteen years of age — for he was now past sixty-three. He was a lieutenant in Oliver Cromwell's army and fought at Dundee and sundry of the Scotch battles. It was deponed against him that this Rumbold had undertaken to kill the late King, in April 1683, as he should return from Newmarket to London, at his own house at the Rye in Hogsdown in the county of Hertford, where he had married a Malster's relict — whence he was designated 'the Malster.' He intended to have a cart overturned in that narrow place to facilitate the assassination, but God disappointed them by sending the accidental fire at Newmarket which forced the King to return a week sooner to London. But Rumbold absolutely denied any knowledge of that designed murder, though on the breaking out of that plot he fled

with others to Holland, and there made acquaintance with Argyle. On the twenty-eighth of June, 1685, the said Richard Rumbold, Malster, was brought to his trial. His indictment bore that he had designed to kill the late King, at the Rye in Hogsdown, on his return from Newmarket to London, in April 1683. But in general, as he positively denied the truth of this (though sundry had sworn it against him in England), the King's advocate passed from that part, lest it should have disparaged or impaired the credit of the said English plot; therefore, he insisted singly on the point that he had associated himself with the late Argyle, a forfeited traitor, and invaded Scotland. All this he confessed and signed; and being interrogated if he were one of the masked executioners on King Charles the First's scaffold, he declared he was not, but that he was one of Oliver Cromwell's regiment then, and was on horseback at Whitehall that day as one of the guard about the scaffold; and that he was at Dunbar, Worcester, and Dundee, a lieutenant in Cromwell's army. He said that James Stewart, advocate, told them Argyle would ruin all their affair by lingering in the Isles and Highlands, and not presently marching into the inland country; wherein he had proved a true prophet, but any one might see it without a spirit of divination. And being asked if he owned the present King's authority, he craved leave to be excused, seeing he needed neither offend them nor grate his own conscience, for they had enough whereon to take his life beside. He was certainly a man of much natural courage. His rooted ingrained opinion was for a republic against monarchy, to pull which down he thought a duty and no sin. And on the scaffold he began to pray for that party which he had been owning, and to keep the three metropolitan cities of the three kingdoms right, saying that if every hair of his head were a man, he would venture them all in that cause. But the drums were then commanded to beat,—otherwise he carried himself discreetly enough, and heard the ministers, but took none of them to the scaffold with him."

This tribute to Rumbold's courage and moderation by one of his political opponents was well deserved. Of the Cromwellian republicans who survived the Commonwealth and were executed under the restored Stuarts, he is the least fanatical, as he is undoubtedly the strongest. His last words were a rallying cry in America in 1776, and they still retain their full potentiality. The figure of the venerable Puritan fighter, standing on the scaffold, without fear and without shame, delivering his last message as simply as if it were an expression of his ordinary thought, is one of the most remarkable, as it is one of the most admirable in history. W. V. B.

## AGAINST BOOTED AND SPURRED PRIVILEGE

(Delivered on the Gallows at the Market Cross in Edinburgh, in June 1685)

*Gentlemen and Brethren:—*

IT IS for all men that come into the world once to die; and after death the judgment! And since death is a debt that all of us must pay, it is but a matter of small moment what way it be done. Seeing the Lord is pleased in this manner to take me to himself, I confess, something hard to flesh and blood, yet blessed be his name, who hath made me not only willing, but thankful for his honoring me to lay down the life he gave, for his name; in which, were every hair in this head and beard of mine a life, I should joyfully sacrifice them for it, as I do this. Providence having brought me hither, I think it most necessary to clear myself of some aspersions laid on my name; and, first, that I should have had so horrid an intention of destroying the King and his brother. . . . It was also laid to my charge that I was antimonarchical. It was ever my thoughts that kingly government was the best of all where justly executed; I mean, such as it was by our ancient laws;—that is, a King, and a legal, free-chosen Parliament,—the King having, as I conceive, power enough to make him great; the people also as much property as to make them happy; they being, as it were, contracted to one another! And who will deny me that this was not the justly-constituted government of our nation? How absurd is it, then, for men of sense to maintain that though the one party of his contract breaketh all conditions, the other should be obliged to perform their part? No; this error is contrary to the law of God, the law of nations, and the law of reason. But as pride hath been the bait the devil hath caught most by ever since the creation, so it continues to this day with us. Pride caused our first parents to fall from the blessed state wherein they were created,—they aiming to be higher and wiser than God allowed, which brought an everlasting curse on them and their posterity. It was pride caused God to drown the old world. And it was Nimrod's pride in building Babel that caused that heavy curse of division of tongues to be spread among us, as it is at this day, one of the greatest afflictions the Church of God groaneth under, that there should be so many divisions during their pilgrimage here; but this is their comfort that the day draweth near where,

as there is but one shepherd, there shall be but one sheepfold. It was, therefore, in the defense of this party, in their just rights and liberties, against popery and slavery—

[Being here interrupted by drum beating, he said that they need not trouble themselves, for he should say no more of his mind on that subject, since they were so disingenuous as to interrupt a dying man. He then continued:—]

I die this day in the defense of the ancient laws and liberties of these nations; and though God, for reasons best known to himself, hath not seen it fit to honor us, as to make us the instruments for the deliverance of his people, yet as I have lived, so I die in the faith that he will speedily arise for the deliverance of his Church and people. And I desire of all you to prepare for this with speed. I may say this is a deluded generation, veiled with ignorance, that though popery and slavery be riding in upon them, do not perceive it; though I am sure there was no man born marked of God above another; for none comes into the world with a saddle on his back, neither any booted and spurred to ride him; not but that I am well satisfied that God hath wisely ordered different stations for men in the world, as I have already said; kings having as much power as to make them great and the people as much property as to make them happy. And to conclude, I shall only add my wishes for the salvation of all men who were created for that end.

# JOHN RUSKIN

(1819–1900)

AMONG English essayists and lecturers of the second half of the nineteenth century, Ruskin held easily the same rank which belonged to Carlyle from 1825 to 1865. He was Carlyle's last and greatest pupil. Since the collapse of his health and the loss of his intellectual efficiency, no one has attempted to take his place. With Carlyle he constitutes a distinct school of expression governed more by Teutonic than by classical influences, intense in its feeling, and too strenuous in expression to be safe for any one who is not well assured that his intellect and his moral purposes are strong enough for the demands of the highest thought. As a platform speaker, Ruskin had no equal in the England of his day, and a number of his best-known essays are really orations prepared as lectures or addresses and delivered to English audiences. As it was said of Macaulay that all his orations are essays, it might be said with equal truth, both of Carlyle and Ruskin, that all their essays are orations.

## ISCARIOT IN MODERN ENGLAND

(From an Address Delivered before the Workingmen's Institute at Camberwell)

THERE will be always a number of men who would fain set themselves to the accumulation of wealth as the sole object of their lives. Necessarily, that class of men is an uneducated class, inferior in intellect, and more or less cowardly. It is physically impossible for a well-educated, intellectual, or brave man to make money the chief object of his thoughts; as physically impossible as it is for him to make his dinner the principal object of them. All healthy people like their dinners, but their dinners are not the main object of their lives. So all healthily-minded people like making money—ought to like it, and to enjoy the sensation of winning it; but the main object of their life is not money; it is something better than money. A good soldier, for instance, mainly wishes to do his fighting well. He is glad

of his pay — very properly so, and justly grumbles when you keep him ten years without it — still, his main notion of life is to win battles, not to be paid for winning them. So of clergymen. They like pew rents, and baptismal fees, of course; but yet, if they are brave and well educated, the pew rent is not the sole object of their lives, and the baptismal fee is not the sole purpose of the baptism; the clergyman's object is essentially to baptize and preach, not to be paid for preaching. So of doctors. They like fees, no doubt, — ought to like them; yet if they are brave and well educated, the entire object of their lives is not fees. They, on the whole, desire to cure the sick; and — if they are good doctors, and the choice were fairly put to them — would rather cure their patient and loose their fee than kill him and get it. And so with all other brave and rightly-trained men; their work is first, their fee second — very important always, but still second. But in every nation, as I said, there is a vast class who are ill-educated, cowardly, and more or less stupid. And with these people, just as certainly the fee is first and the work second, as with brave people the work is first and the fee second. And this is no small distinction. It is the whole distinction in a man; distinction between life and death in him, between heaven and hell for him. You cannot serve two masters; you must serve one or the other. If your work is first with you, and your fee second, work is your master, and the Lord of work, who is God. But if your fee is first with you, and your work second, fee is your master, and the lord of fee, who is the Devil; and not only the Devil, but the lowest of devils — the "least-erected fiend that fell." So there you have it in brief terms: Work first — you are God's servants; Fee first — you are the Fiend's. And it makes a difference, now and ever, believe me, whether you serve him who has on his vesture and thigh written, "King of kings," and whose service is perfect freedom, or him on whose vesture and thigh the name is written, "Slave of slaves," and whose service is perfect slavery.

However, in every nation there are, and must always be, a certain number of these Fiend's servants, who have it principally for the object of their lives to make money. They are always, as I said, more or less stupid, and cannot conceive of anything else so nice as money. Stupidity is always the basis of the Judas bargain. We do great injustice to Iscariot in thinking him wicked above all common wickedness. He was only a common

money-lover, and, like all money-lovers, didn't understand Christ; couldn't make out the worth of him, or meaning of him. He didn't want him to be killed. He was horror-struck when he found that Christ would be killed; threw his money away instantly, and hanged himself. How many of our present money-seekers, think you, would have the grace to hang themselves, whoever was killed? But Judas was a common, selfish, muddle-headed, pilfering fellow; his hand always in the bag of the poor, not caring for them. He didn't understand Christ;—yet believed in him, much more than most of us do; had seen him do miracles, thought he was quite strong enough to shift for himself, and he, Judas, might as well make his own little by-perquisites out of the affair. Christ would come out of it well enough, and he have his thirty pieces. Now, that is the money-seeker's idea, all over the world. He doesn't hate Christ, but can't understand him,—doesn't care for him,—sees no good in that benevolent business—makes his own little job out of it at all events, come what will. And thus, out of every mass of men, you have a certain number of bag-men—your "fee-first" men, whose main object is to make money. And they do make it—make it in all sorts of unfair ways, chiefly by the weight and force of money itself, or what is called the power of capital; that is to say, the power which money, once obtained, has over the labor of the poor, so that the capitalist can take all its produce to himself, except the laborer's food. That is the modern Judas's way of "carrying the bag," and "bearing what is put therein."

Nay, but (it is asked) how is that an unfair advantage? Has not the man who has worked for the money a right to use it as he best can? No; in this respect, money is now exactly what mountain promontories over public roads were in old times. The barons fought for them fairly:—the strongest and cunningest got them; then fortified them, and made every one who passed below pay toll. Well, capital now is exactly what crags were then. Men fight fairly—we will, at least, grant so much, though it is more than we ought—for their money; but, once having got it, the fortified millionaire can make everybody who passes below pay toll to his million, and build another tower of his money castle. And I can tell you, the poor vagrants by the roadside suffer now quite as much from the bag-baron as ever they did from the crag-baron. Bags and crags have just the same result on rags. I have not time, however, to-night to show you in how many ways the power of capital is unjust; but this one great

principle I have to assert,—you will find it quite indisputably true,—that whenever money is the principal object of life with either man or nation, it is both got ill, and spent ill, and does harm both in the getting and spending; but when it is not the principal object, it and all other things will be well got and well spent. And here is the test, with every man, of whether money is the principal object with him, or not. If in mid-life he could pause and say: "Now I have enough to live upon, I'll live upon it; and having well earned it, I will also well spend it, and go out of the world poor, as I came into it," then money is not principal with him; but if, having enough to live upon in the manner befitting his character and rank, he still wants to make more, and to die rich, then money is the principal object with him, and it becomes a curse to himself, and generally to those who spend it after him. For you know it must be spent some day; the only question is whether the man who makes it shall spend it, or some one else. And generally it is better for the maker to spend it, for he will know best its value and use. This is the true law of life. And if a man does not choose thus to spend his money, he must either hoard it or lend it, and the worst thing he can generally do is to lend it; for borrowers are nearly always ill-spenders, and it is with lent money that all evil is mainly done, and all unjust war protracted.

For observe what the real fact is, respecting loans to foreign military governments, and how strange it is. If your little boy came to you to ask for money to spend in squibs and crackers, you would think twice before you gave it to him, and you would have some idea that it was wasted, when you saw it fly off in fireworks, even though he did no mischief with it. But the Russian children and Austrian children come to you, borrowing money, not to spend in innocent squibs, but in cartridges and bayonets to attack you in India with, and to keep down all noble life in Italy with, and to murder Polish women and children with; and that you will give at once, because they pay you interest for it. Now, in order to pay you that interest, they must tax every working peasant in their dominions; and on that work you live. You therefore at once rob the Austrian peasant, assassinate or banish the Polish peasant, and you live on the produce of the theft, and the bribe for the assassination! That is the broad fact, —that is the practical meaning of your foreign loans, and of most large interest of money; and then you quarrel with Bishop

Colenso, forsooth, as if he denied the Bible, and you believed it! Though, wretches as you are, every deliberate act of your lives is a new defiance of its primary orders; and as if, for most of the rich men of England at this moment, it were not indeed to be desired, as the best thing at least for them, that the Bible should not be true, since against them these words are written in it: "The rust of your gold and silver shall be a witness against you, and shall eat your flesh as it were fire."

# LORD JOHN RUSSELL

(1792–1878)

LORD JOHN RUSSELL, created first Earl Russell in 1861, was the third son of the Duke of Bedford. He was born at London, August 18th, 1792. After graduating at the University of Edinburgh, he entered Parliament in 1813. From 1819, when he began his advocacy of Parliamentary Reform, until his retirement from public life, he was prominent as a champion of all the great Whig and Liberal measures of his time. He advocated Catholic Emancipation, the repeal of the Test Act, and the Reform Bill of 1831. His success as a champion of Reform made him the Whig leader in 1834, and after holding various important places in the Cabinet, he became Prime Minister in 1846, retaining the position for six years and resuming it again in 1865. In one way or another his name is connected with most of the greatest events of English history during his day. He died May 28th, 1878. Although his political addresses are numerous and important, it is doubtful if any one of them represents his intellectual force as fully as his Leeds' address of 1852, here given. Among literary addresses it ranks with those of Gladstone and Goldwin Smith.

## SCIENCE AND LITERATURE AS MODES OF PROGRESS

(Delivered before the Members of the Leeds Mechanics' Institution, December 8th, 1852)

*Ladies and Gentlemen:*—

YOUR excellent president having conveyed to me a wish that I should preside at this meeting of the Leeds Mechanics' Institution, I had great pleasure in complying with his request; for, since the first establishment of mechanics' institutes, I have had the greatest satisfaction in seeing how much they have contributed to the instruction of those who belong to them, as they have to the general knowledge and the general welfare of the country. I had the pleasure of assisting Dr. Birkbeck in the beginning of these institutions. I wish now, as far as I am

able, to address you upon some points of general concern. My ignorance of the particulars and details relating to these institutions would make it an impertinence on my part if I were to attempt to go into those matters to which your president has referred. I am glad to say that from the last report of the institution it appears that the various objects to which it is intended to minister—the schools, the classes, the instructions of various kinds, and the libraries, have all been well supported, and that there are not less than two thousand members belonging to your association. It occurs to me, however, that if I can address anything to you worthy of observation, it should be rather upon the general state of knowledge at this time, and the prospect of what is before us, than upon any particulars relating to the institution over which I am now presiding. Let us observe how very different the present state of affairs is from the time when great foundations were made for the purposes of education and instruction. Before the Reformation, and immediately afterwards, great sums of money and broad lands were given for the purpose of endowing academies, colleges, and schools, for education. Our ancestors thought, and I believe wisely thought, that the best plan they could adopt was to teach, or to provide means for teaching, the science and the literature which had been derived from ancient nations; for in those days that science and that literature contained all that was known, and was really worthy of study, the most profound works upon subjects of geometry and science, and the best models of literary writing. I am far from thinking that our ancestors committed an error, either when they directed the education of youth almost exclusively to these objects, or when they decided that a great length of time should be given to that knowledge; but we have to consider that in the present day we stand in a totally different position. Not that we ought to forget what great advantages we have derived from the science and the literature of ancient nations; because upon the geometry delivered to us from the ancients has been founded all that increase of knowledge which ended in the discoveries of Newton; from the writings of the poets of antiquity the great poets of modern times have derived the best models they could imitate; from the jurisprudence of the Romans were derived the laws by which most of the nations of the Continent have been ruled. But, while this tribute must be paid, it is a paramount object of attention that we, in the course of the three centuries

and a half that have elapsed from what is called "the revival of letters," have added to the stores that we have received immense stores of our own,—that by the side of that rich mine we have opened other mines, which, if not of richer ore, are more easily worked and are more abundant in their produce. It was Lord Bacon who first pointed out that the mode of the pursuit of science for modern nations ought to be different from that mode for the discovery of truth which had been pointed out by some of the great philosophers. It has been much questioned whether Lord Bacon was in fact the guide by whom other discoverers have been enabled to pursue the track of knowledge and of invention, and upon that point I think it is certainly clear that it was not Lord Bacon who enabled Galileo and Torricelli, Pascal, Tycho Brahe, Copernicus, and Kepler to make the great discoveries which have immortalized their names.

But what is true is that Lord Bacon at a very early period laid down the rules by which all modern men of science have guided themselves. He pointed out the road they have followed, and laid down more clearly, more broadly, more ably than any one else, the great method by which modern discovery should be pursued. You will find, I think, if you pursue this subject—if those who belong to mechanics' institutes will study the two works of Lord Bacon, the one called the 'New Organ,' and the other 'The Instauration of the Sciences,'—you will find that the latest discoveries, the latest inventions, have been made according to that mode which he pointed out. A work was published but a year ago by Mr. Fairbairn, giving an account of the experiments which he adopted under the direction of Mr. Stephenson, and by which that gentleman was enabled to construct the tubular bridges at Conway and over the Menai Straits. You will find that all those experiments were according to the rules which Lord Bacon has laid down. Take another work on geology, and a more interesting work it is, called the 'Old Red Sandstone,' by Mr. Hugh Miller, and you will find in that interesting work, which is as remarkable for the beauty of its style as for the importance of its matter, that Mr. Hugh Miller, being at first a mason working in a stone quarry, pursued, in his method of investigation, the same rules which Lord Bacon, more than three centuries ago, laid down, and which have thus become the foundation of the law, as it were, of modern science. And now, ladies and gentlemen, having said this much with regard to the original

method, let me venture to say that, interested as no doubt the members of the Mechanics' Institute may be in the various sciences which of late have made so great a progress,—that, interesting to you as are those discoveries which have given us the power of rapid locomotion and the electric telegraph,—wonderful and extraordinary as all those discoveries are, and the study of the means and methods by which they were made, I would earnestly press upon you that there is one science which, though its practical use is rather upon the sea than upon the land, is yet worthy of the deepest study, on account of the magnificent results which it unfolds. The science to which I allude is the science of astronomy. Whether those who, having begun the mathematical studies with the simplest problems of geometry, wish to pursue them to the end, and follow the works of Newton himself,—and no more interesting works can be studied by a mathematician,—with the view of seeing how it was that he discovered that great law of gravitation by which his name will be forever known, or whether, contenting yourselves with the popular accounts of astronomy in many of the works of the day, written by Sir John Herschel and other eminent men,—whether you pursue one branch or the other,—you cannot fail to be struck with the dread magnificence of heaven which is unfolded to you in astronomical speculations. That course of discovery, be it remarked, is still open—it is still pursued; and it is but lately that it has been found that those parts of the heavens which seem to be mere collections of luminous clouds, and not to contain anything like form of world or form of suns, are in fact full of stars, small in appearance to us, but really of very great magnitude, though at an immensely remote distance; so that, as it were, a new heaven is opened to us, and it appears that to him to whom "a thousand years are but a day" a thousand worlds are but a speck. I certainly shall not attempt to detain you and to occupy your time by speaking of any of those other sciences which have all their delight and their utility. Let me only say that there cannot be a greater mistake than that which prevailed a number of years ago, when I first visited this district; and I am sorry to say it is now forty years since I came into the district, and, in company with a learned and eminent man, the late Professor Playfair, visited your factories and your workshops. I was struck—I could not fail to be struck—by the ingenuity displayed by the wealth that was obtained;

but I own that I left the manufacturing districts with somewhat of a painful feeling that no greater means were used to spread and obtain knowledge, and that a theory seemed to prevail — a false and unfounded theory I am sure it was — that those who are continually occupied in toiling and in spinning, in hammering and in forging, could not obtain time to have the means of penetrating the recesses of science and of literature. I believe that no doctrine ever was more false; and experience has, indeed, proved that, while science and literature add to the skill and to the ability by which the artisan conducts his trade, on the other hand his toil is sweetened by the comfort of thinking that he can read and instruct himself when his hour of leisure shall arrive. Gentlemen, I noted in a journal I kept at that time the various manufactures I had visited and the inventions I had seen, and I ended with a few observations on the moral and intellectual state of the manufacturing districts, expressing, with the sanguine hope of youth, a confident expectation that great improvement would be made in these respects; and I come now, after this long period, to rejoice in the prospect that that hope is being fulfilled.

I will now turn for a short time to the subject of literature. That subject again is so vast that if I were to attempt to go over any one of its numerous fields I should not find the time sufficient to enable me to do so; but there is one leading remark which I will venture to make, and which, I think, it is worth while for any person who studies literature to keep in view. There are various kinds of productions of literature, of very different forms and of very different tastes,— some grave and some gay, some of extreme fancy, some rigorously logical, but all, as I think, demanding this as their quality,— that truth shall prevail in them. A French author has said that nothing is beautiful but truth; that truth alone is lovely, but that truth ought to prevail even in fable. I believe that remark is perfectly correct; and I believe that you cannot use a better test, even of works of imagination, than to see whether they be true to nature. Now, perhaps, I can better explain what I mean in this respect by giving you one or two instances than I should be able to do by precept and explanation. A poet of very great celebrity in the last century, and who certainly was a poet distinguished for much fancy and great power of pathos, but who had not the merit of being always as true as he is pointed in the poetry he has written,— I

mean Young,—has said, at the commencement, I think, of one of his 'Nights':—

> «Sleep, like the world, his ready visit pays
> Where Fortune smiles; the wretched he forsakes,
> And lights on lids unsullied with a tear.»

Now, if you will study that sentence, you will see there are two things which the poet has confounded together. He has confounded together those who are fortunate in their peace of mind, those who are fortunate in the possession of health, and those who are fortunate in worldly advantages. Now, it frequently happens that the man who is the worst off in his worldly circumstances,—to whom the world will pay no homage,—on whom it would not be said that Fortune smiled, enjoys sweeter and more regular sleep than those who are in the possession of the highest advantages of rank and wealth. You will all remember, no doubt, that in a passage I need not quote, another poet,—one always true to nature,—Shakespeare, has described the shipboy amidst the storm, notwithstanding all the perils of his position on the mast, as enjoying a quiet sleep, while he describes the king as unable to rest. That is the poet true to nature; and you will thus, by following observations of this kind, by applying that test to poetry as well as to history and to reasoning, obtain a correct judgment as to whether what you are reading is really worth your attention and worth your admiration, or whether it is faulty and is not so deserving. I may give another instance, and I could hardly venture to do so if my friend and your friend, Lord Carlisle, were here, because the want of truth I am going to point out is in the writings of Pope. There is a very beautiful ode of Horace, in which, exalting the merits of poetry, he says that many brave men lived before Agamemnon; that there were many great sieges before the siege of Troy; that before Achilles and Hector existed, there were brave men and great battles; but that, as they had no poet, they died, and that it required the genius of poetry to give immortal existence to the bravery of armies and of chiefs. Pope has copied this ode of Horace, and in some respects has well copied and imitated it in some lines which certainly are worthy of admiration, beginning:—

> «Lest you should think that verse shall die,
> Which sounds the silver Thames along.»

But in the instances which he gives he mentions Newton, and says that not only brave men had lived and fought, but that other Newtons "systems fram'd." Now, here he has not kept to the merit and truth of his original, for, though it may be quite true that there were distinguished armies and wonderful sieges, and that their memory has passed into oblivion, it is not at all probable that any man like Newton followed by mathematical roads the line of discovery, and that those great truths which he discovered should have perished and fallen into oblivion. I give you these two instances of want of truth even in celebrated poets, and I think it is a matter you will do well to keep in view, because there is a remarkable difference between the history of science and the history of literature. In the history of science the progress of discovery is gradual. Those who make these discoveries sometimes commit great errors. They fall into many absurd mistakes, of which I could give you numerous instances; but these blunders and these errors disappear — the discoveries alone remain; other men afterwards make these discoveries the elements and groundwork of new investigations, and thus the progress of science is continual; but truth remains, the methods of investigations even are shortened, and the progress continually goes on. But it is not so with regard to literature. It has, indeed, happened often in the history of the world, among nations that have excelled in literature, after great works had been produced which brought down the admiration of all who could read them, that others, attempting to go further,—attempting to do something still better,— have produced works written in the most affected and unnatural style, and, instead of promoting literature, have corrupted the taste of the nation in which they lived. Now, this is a thing against which I think we should always be upon our guard, and, having those great models of literature which we possess before us,— having Shakespeare, and Milton, and Pope, and a long line of illustrious poets and authors,— we should always study to see that the literature of the day is, if not on a par with, at least as pure in point of taste as that which has gone before it, and to take care that we do not, instead of advancing in letters, fall back and decay in the productions of the time. I will now mention to you another instance. It is apparently but a trifling one, but still it is one in which I think nature and truth are so well observed that it may be worth your while to listen to it. One of our writers, who the most blended

amusement with instruction, and ease of style with solidity of matter, as you all know, was Addison. He describes a ride he had along with a country squire, whom he fell in with in traveling from London to a distant town. They came to an inn, and Addison says that they ordered a bowl of punch for their entertainment. The country squire began, as was, perhaps, a mode with country squires, which may have continued even to the present day, to deprecate trade, and to say that foreign trade was the ruin of the country, and that it was too bad that the foreigner should have so much advantage of our English money. "Upon which," says Addison, "I just called his attention to the punch that we were going to drink, and I said: 'If it were not for our foreign trade, where would be the rum, and the lemons, and the sugar, which we are about to consume?'" The squire was considerably embarrassed by this remark, but the landlord, who was standing by, came to his assistance, and said: "There is no better drink than a cup of English water, if it has but plenty of malt in it." Now, although that appears a slight and trifling story, and told in a very common way, yet it is perfectly true to nature, and it conveys in a lively manner a rebuke to the ignorance and prejudice of the person with whom Addison represents himself to be conversing.

Having made these observations, you will, perhaps, permit me, ladies and gentlemen, to say that the cause of my venturing to come here is, that I might both see the progress that you are making in instructions of all kinds, and also that I might express my hopes and my wishes for your welfare in the time that is to come. It has been my fortune, since the active part of my life began, to live in times of peace and to see great discoveries and great improvements. I think you will feel that we who have had the direction of affairs during that time — I speak not now of any difference of political parties or of religious sects, but taking us altogether, all political parties, and men of all religious denominations, — I think we have not done ill for the country during that period in which we have borne an active share in its affairs. If you look back to 1815, when a bloody and costly struggle terminated, I think you will see that since that period, whether by judgment of Parliament — whether by the action of great bodies and great societies — or whether by the skill and invention of individuals, the condition of the people of this land has very much improved. While the means of sustenance have

become cheaper,—while the public burdens have become less,—while the means of education have been improved,—there has been, with these circumstances, and partly owing to these circumstances, a general progress in society. I think that we who have belonged to that time,—and, as I tell you again, I wish to make no political allusion, or to claim for one party over another any advantage,—but I say generally that we who have lived in this time have, upon the whole, not ill performed our duty. It will be for you, when we retire from the more active business of this scene, to endeavor to carry on to still greater knowledge, to still more comfort, to still greater well-being, the country in which you live. There is a great charge imposed upon you, and I trust you will properly perform it. Let no insane passion carry you without reason into contests with foreign countries. Let no unworthy prejudices induce you to withhold from any part of your countrymen that which is their due. Let no previous convictions prevent you from examining every subject with impartial eyes, and from placing before you the light of truth, which ought to guide you in your investigations. With these convictions I am persuaded you will abide by the institutions which you have, by the faith which you hold, and that you will adorn the country to which you belong.

# JOHN RUTLEDGE

(1739–1800)

JOHN RUTLEDGE, one of the most prominent Revolutionists of South Carolina during the Colonial period, was born at Charleston in 1739. In 1765 he was a member of the Stamp Act Congress, and was active in committing the South Carolina Convention of 1774 against England. After serving from 1774 to 1775 in the Continental Congress, he became President of South Carolina (1776–78), and from 1779 to 1782 was again Chief Executive of the State. He was a delegate to the Constitutional Convention of 1787, was Associate-Justice of the United States Supreme Court, and Chief-Justice of South Carolina. He died July 23d, 1800.

## A SPEECH IN TIME OF REVOLUTION

(Delivered to the Legislative Council and House of Assembly of South Carolina, at Charleston, on the Eleventh of April, 1776)

*Honorable Gentlemen of the Legislative Council — Mr. Speaker and Gentlemen of the General Assembly: —*

IT HAS afforded me much satisfaction to observe that though the season of the year rendered your sitting very inconvenient, your private concerns, which must have suffered greatly by your long and close application in the late Congress, to the affairs of the colony, requiring your presence in the county, yet continuing to prefer the public weal to ease and retirement, you have been busily engaged in framing such laws as our peculiar circumstances rendered absolutely necessary to be passed before your adjournment. Having given my assent to them, I presume you are now desirous of a recess.

On my part, a most solemn oath has been taken for the faithful discharge of my duty; on yours, a solemn assurance has been given to support me therein. Thus, a public compact between us stands recorded. You may rest assured that I shall keep this oath ever in mind — the Constitution shall be the invariable rule of my conduct — my ears shall be always open to the complaints

of the injured. Justice, in mercy, shall neither be denied nor delayed. Our laws and religion, and the liberties of America, shall be maintained and defended to the utmost of my power. I repose the most perfect confidence in your engagement.

And now, gentlemen, let me entreat that you will, in your several parishes and districts, use your influence and authority to keep peace and good order, and procure strict observance of and ready obedience to the law. If any persons therein are still strangers to the nature and merits of the dispute between Great Britain and the colonies, you will explain it to them fully, and teach them, if they are so unfortunate as not to know their inherent rights. Prove to them that the privileges of being tried by a jury of the vicinage, acquainted with the parties and witnesses; of being taxed only with their own consent, given by their representatives, freely chosen by and sharing the burthen equally with themselves, not for aggrandizing a rapacious minister and his dependent favorites, and for corrupting the people and subverting their liberties, but for such wise and salutary purposes as they themselves approve; and of having their internal polity regulated only by laws consented to by competent judges of what is best adapted to their situation and circumstances, equally bound, too, by those laws, are inestimable and derived from that Constitution, which is the birthright of the poorest man and the best inheritance of the most wealthy. Relate to them the various unjust and cruel statutes which the British Parliament, claiming a right to make laws for binding the colonies in all cases whatsoever, have enacted, and the many sanguinary measures which have been and are daily pursued and threatened to wrest from them those invaluable benefits and to enforce such an unlimited and destructive claim. To the most illiterate it must appear that no power on earth can, of right, deprive them of the hard-earned fruits of their honest industry, toil, and labor —even to them the impious attempt to prevent many thousands from using the means of subsistence provided for man by the bounty of his Creator, and to compel them by famine to surrender their rights, will seem to call for Divine vengeance. The endeavors by deceit and bribery to engage barbarous nations to imbrue their hands in the innocent blood of helpless women and children, and the attempts, by fair but false promises, to make ignorant domestics subservient to the most wicked purposes, are acts at which humanity must revolt.

Show your constituents, then, the indispensable necessity which there was for establishing some mode of government in this colony; the benefits of that which a full and free representation has established; and that the consent of the people is the origin, and their happiness the end of government. Remove the apprehensions with which honest and well-meaning, but weak and credulous minds, may be alarmed, and prevent ill impressions by artful and designing enemies. Let it be known that this Constitution is but temporary, till an accommodation of the unhappy differences between Great Britain and America can be obtained; and that such an event is still desired by men who yet remember former friendships and intimate connections, though, for defending their persons and properties, they are stigmatized and treated as rebels.

Truth, being known, will prevail over artifice and misrepresentation. In such case no man, who is worthy of life, liberty, or property, will, or can, refuse to join with you in defending them to the last extremity, disdaining every sordid view, and the mean paltry considerations of private interest and present emolument, when placed in competition with the liberties of millions; and seeing that there is no alternative but absolute, unconditional submission, and the most abject slavery, or a defense becoming men born to freedom, he will not hesitate about the choice. Although superior force may, by the permission of heaven, lay waste our towns and ravage our country, it can never eradicate from the breasts of freemen those principles which are ingrafted in their very nature. Such men will do their duty, neither knowing, nor regarding consequences; but submitting them, with humble confidence, to the omniscient and omnipotent Arbiter and Director of the fate of empires, and trusting that his Almighty arm, which has been so signally stretched out for our defense, will deliver them in a righteous cause.

The eyes of Europe, nay of the whole world, are on America. The eyes of every other colony are on this,—a colony whose reputation for generosity and magnanimity is universally acknowledged. I trust, therefore, it will not be diminished by our future conduct, that there will be no civil discord here, and that the only strife amongst brethren will be, who shall do most to serve and to save an oppressed and injured country.

# JACQUES SAURIN

(1677–1730)

JACQUES SAURIN, one of the great French pulpit orators of the eighteenth century, was born at Nîmes, January 6th, 1677. After the repeal of the Edict of Nantes, his family, who were Huguenots, went into exile at Geneva, where he was educated in philosophy and divinity. He entered the Church in 1705 and began preaching at The Hague, where he became very celebrated. "Saurin possessed vast intellectual powers," says one of his admirers. "He had an imagination that has rarely been equaled. He was less artificial, more careless, and more inelegant than the three great Catholic preachers, Bossuet, Bourdaloue, and Fénelon, but not less effective. It has been said that his utterances were like torrents of fire, and their immediate influence was often equal to their character." Saurin died at the Hague, December 30th, 1730. His sermons were published in twelve volumes and so greatly have they been admired that a six-volume edition of them, translated by Reverend Robert Robinson, has been published in England and in part republished in America.

## THE EFFECT OF PASSION

(From a Sermon, I. Peter ii. 1)

THE passions produce in the mind a strong attention to whatever can justify and gratify them. The most odious objects may be so placed as to appear agreeable, and the most lovely objects so as to appear odious. There is no absurdity so palpable but it may be made to appear likely; and there is no truth so clear but it may be made to appear doubtful. A passionate man fixes all the attention of his mind on such sides of objects as favor his passion, and this is the source of innumerable false judgings, of which we are every day witnesses and authors.

If you observe all the passions, you will find they have all this character. What is vengeance in the mind of a vindictive man? It is a fixed attention to all the favorable lights in which

vengeance may be considered; it is a continual study to avoid every odious light in which the subject may be placed. On the one side there is a certain deity in the world who has made revenge a law. This deity is worldly honor, and at the bar of this judge to forget injuries is mean, and to pardon them cowardice. On the other side, vengeance disturbs society, usurps the office of a magistrate, and violates the precepts of religion. A dispassionate man, examining without prejudice this question: Ought I to revenge the injury I have received? would weigh all these motives, consider each apart and all together, and would determine to act according as the most just and weighty reasons should determine him; but a revengeful man considers none but the first,—he pays no attention to the last; he always exclaims: My honor, my honor; he never says: My religion and my salvation.

What is hatred? It is a close attention to a man's imperfections. Is any man free? Is any man so imperfect as to have nothing good in him? Is there nothing to compensate his defects? This man is not handsome, but he is wise; his genius is not lively, but his heart is sincere; he cannot assist you with money, but he can give you much good advice, supported by an excellent example; he is not either prince, king, or emperor, but he is a man, a Christian, a believer, and in all these respects he deserves esteem. The passionate man turns away his eyes from all these advantageous sides, and attends only to the rest. Is it astonishing that he hates a person in whom he sees nothing but imperfection? Thus a counselor opens and sets forth his cause with such artifice that law seems to be clearly on his side; he forgets one fact, suppresses one circumstance, omits to draw one inference, which being brought forward to view, entirely change the nature of the subject, and his client loses his cause. In the same manner, a defender of a false religion always revolves in his mind the arguments that seem to establish it, and never recollects those which subvert it. He will curtail a sentence, cut off what goes before, leave out what follows, and retain only such detached expressions as seem to countenance his error, but which, in connection with the rest, would strip it of all probability. What is still more singular is that love to true religion, that love which, under the direction of reason, opens a wide field of argument and evidence, engages us in this sort of false judging when we give ourselves up to it through passion or prejudice.

This is what the passions do in the mind, and it is easy to comprehend the reason St. Peter had to say in this view: "Fleshly lusts war against the soul." Certainly one of the noblest advantages of a man is to reason, to examine proofs and weigh motives, to consider an object on every side, to combine the various arguments that are alleged either for or against a proposition, in order on these grounds to regulate our ideas and opinions, our hatred and our love. The passionate man renounces this advantage, he never reasons in a passion, his mind is limited, his soul is in chains, his "fleshly passions war against his soul."

Having examined the passions in the mind, let us consider them in the senses. To comprehend this, recollect what we just now said, that the passions owe their origin to the Creator, who instituted them for the purpose of preserving us. When an object would injure health or life, it is necessary to our safety that there should be an emotion in our senses to affect a quick escape from the danger; fear does this. A man struck with the idea of sudden danger has a rapidity which he could not have in a tranquil state, or during a cool trial of his power. It is necessary, when an enemy approaches to destroy us, that our senses should so move as to animate us with a power of resistance. Anger does this, for it is a collection of spirits — but allow me to borrow here the words of a modern philosopher, who has admirably expressed the motions excited by the passions in our bodies. "Before the sight of an object of passion," says he, "the spirits were diffused through all the body to preserve every part alike, but on the appearance of this new object the whole system is shaken; the greater part of the animal spirits rush into all the exterior parts of the body, in order to put it into a condition proper to produce such motions as are necessary to acquire the good, or to avoid the evil now present. If it happen that the power of man is unequal to his wants, these same spirits distribute themselves so as to make him utter mechanically certain words and cries, and so as to spread over his countenance and over the rest of his body an air capable of agitating others with the same passion with which he himself is moved. For as men and other animals are united by eyes and ears, when any one is agitated he necessarily shakes all others that see and hear him, and naturally produces painful feelings in their imaginations, which interest them in his relief. The rest of the spirits rush violently into the heart, the lungs, the liver, and the other

vitals, in order to lay all these parts under contribution, and hastily to derive from them as quickly as possible the spirits necessary for the preservation of the body in these extraordinary efforts." Such are the movements excited by the passions in the senses, and all these to a certain degree are necessary for the preservation of our bodies, and are the institutions of our Creator. But three things are necessary to preserve order in these emotions: Firstly, they must never be excited in the body without the direction of the will and the reason; secondly, they must always be proportional,—I mean the emotion of fear, for example, must never be, except in sight of objects capable of hurting us; the emotion of anger must never be, except in sight of an enemy who actually has both the will and the power of injuring our well-being; and, thirdly, they must always stop when and where we will they should. When the passions subvert this order, they violate three wise institutes of our Creator.

The emotions excited by the passions in our senses are not free. An angry man is carried beyond himself in spite of himself. A voluptuous man receives a sensible impression from an exterior object, and, in spite of all the dictates of reason, throws himself into a flaming fire that consumes him.

The emotions excited by the passions in our senses are not proportional; I mean that a timorous man, for example, turns as pale at the sight of a fanciful as of a real danger; he sometimes fears a phantom and a substance alike. A man "whose god is his belly" feels his appetite as much excited by a dish fatal to his health as by one necessary to support his strength and to keep him alive.

The disorders of the passions in the imagination far exceed those in the senses; the action of the senses is limited, but that of the imagination is boundless, so that the difference is almost as great as that between finite and infinite, if you will pardon the expression. A man who actually takes pleasure in debauchery feels this pleasure, but he does not persuade himself that he feels it more than he does; but a man who indulges his fancy forms most extravagant ideas, for imagination magnifies some objects, creates others, accumulates phantom upon phantom, and fills up a vast space with ideal joys which have no originals in nature. Hence it comes that we are more pleased with imaginary ideas than with the actual enjoyment of what we imagine, because imagination having made boundless promises, it gladdens

the soul with the hope of more to supply the want of what present objects fail of producing.

O deplorable state of man! The littleness of his mind will not allow him to contemplate any object but that of his passion, while it is present to his senses; it will not allow him, then, to recollect the motives, the great motives, that should impel him to his duty: and when the object is absent, not being able to offer it to his senses, he presents it again to his imagination clothed with new and foreign charms, deceitful ideas of which make up for its absence, and excite in him a love more violent than that of actual possession, when he felt at least the folly and vanity of it. O horrid war of the passions against the soul! Shut the door of your closets against the enchanted object, it will enter with you. Try to get rid of it by traversing plains, and fields, and whole countries; cleave the waves of the sea, fly on the wings of the wind, and try to put between yourself and your enchantress the deep, the rolling ocean, she will travel with you, sail with you, everywhere haunt you, because wherever you go you will carry yourself, and within you, deep in your imagination, the bewitching image impressed. . . .

It is natural to a man who has found nothing but imperfect pleasure in former enjoyments, to desire new objects. The most noble souls, the greatest geniuses, the largest hearts, have often the most inconstancy and love of novelty, because the extent of their capacity and the space of their wishes make them feel, more than other men, the diminutiveness and incompetency of all creatures. But the misfortune is, man cannot change his situation without entering into another almost like that from which he came. Let us persuade ourselves that there is nothing substantial in creatures, that all conditions, besides characters of vanity common to all human things, have some imperfections peculiar to themselves. If you rise out of obscurity, you will not have the troubles of obscurity, but you will have those of conspicuous stations; you will make talk for everybody, you will be exposed to envy, you will be responsible to each individual for your conduct. If you quit solitude, you will not have the troubles of solitude, but you will have those of society; you will live under restraint, you will lose your liberty, inestimable liberty, the greatest treasure of mankind, you will have to bear with the faults of all people connected with you. If heaven give you a family, you will not have the troubles of such as

have none, but you will have others necessarily resulting from domestic connections; you will multiply your miseries by the number of your children, you will fear for their fortunes, you will be in pain about their healths, and you will tremble for fear of their deaths. My brethren, I repeat it again, there is nothing substantial in this life. Every condition has difficulties of its own, as well as the common inanity of all human things. If, in some sense, nothing ought to surprise us less than the inconstancy of mankind and their love of novelty, in another view nothing ought to astonish us more, at least there is nothing more weak and senseless. A man who thinks to remedy the vanity of earthly things by running from one object to another is like him who, in order to determine whether there be in a great heap of stones any one capable of nourishing him, should resolve to taste them all one after another. Let us shorten our labor. Let us put all creatures into one class. Let us cry, "vanity!" in all. If we determine to pursue new objects, let us choose such as are capable of satisfying us. Let us not seek them here below. They are not to be found in this old world, which God has cursed. They are in the "new heavens and the new earth."

# KARL WILHELM FRIEDRICH VON SCHLEGEL

(1772–1829)

FRIEDRICH VON SCHLEGEL and his brother August Wilhelm did together a most important work in the intellectual development of Germany during the early part of the nineteenth century. As a Shakespearean critic, August Wilhelm von Schlegel took the highest rank in his day and is never likely to lose his authority. Friedrich von Schlegel, known chiefly as a historian of literature, and by his addresses on the philosophy of history, was born at Hanover, March 10th, 1772. Educated at Göttingen and Leipsic, his first book on a classical subject, published in 1797, attracted the attention and won the praise of the great critic, Heyne. His subsequent works on philological and philosophical subjects are too numerous to be mentioned even by title. He was a poet, as well as an essayist and lecturer, but his poetical faculty finds its best expression in such addresses as 'The Philosophy of History,' delivered at Vienna in 1810. He died January 12th, 1829, at Dresden, where he had gone to deliver the series of lectures afterwards published as his 'Philosophical Discourses.'

## THE PHILOSOPHY OF HISTORY

(From a Lecture Delivered at Vienna 1810)

THE philosophy of history — that is to say, the right comprehension of its wonderful course, the solution and illustration of its mighty problems, and of the complex enigmas of humanity, and its destiny in the lapse of ages — is not to be found in isolated events, or detached historical facts, but in the principles of social progress. Historical particulars can only serve to characterize the inward motives, the prevailing opinions, the decisive moments, the critical points in the progress of human society; and thus place more vividly before our eyes the peculiar character of every age — each step of mankind in intellectual refinement and moral improvement. To this end, historical details are indispensable; for the ruling principles of social development are of a more exalted kind, and not mere organic laws of nature,

from which, as in physiology, when the first principle of disorder is understood, we can accurately deduce, and partly at least determine beforehand, the nature of the different phenomena and symptoms, the rule of health, the diagnostic of the disease, as well as the method of cure, the approach of the crisis, and its natural declension, without being obliged to go through the labyrinth of all the different cases that may have ever existed. Again, it is not in the history of man, as in natural history, where the structure of the various plants and animals forms by close analogy one connected species and genus; and where the growth, bloom, decay, and extinction of individuals follow in a uniform order, like day and night, or like the change of the seasons. But in the sphere of human freedom, as man is a natural creature, but a natural creature endowed with free will,—that is to say, with the faculty of moral determination between the good or heavenly impulse, and the wicked or hostile principle,—all these organic laws of nature form only the physical basis of his progress and history. And hardly do they form this—but rather a mere disposition of which the direction depends on man, or on the use he makes of his own freedom. It is only when that higher principle of man's free will has been weakened, debased, obscured, extinguished, and utterly confounded, that those laws of nature can hold good in history. Then, indeed, the symptoms of a diseased age, the organic vices of a nation, the prognostics of a general crisis of the world, may be determined to a certain extent with the precision of medical science. Though the general feelings of mankind clearly declare the soul to be endowed with the faculty of free will, yet to reason, this freedom is an almost inextricable enigma, the solution of which must be furnished by faith. Or, rather, this is a mystery, of which the key and explanation must be sought for in God and his Revelation; and the same will apply to every higher principle that transcends nature and nature's laws.

Along with the principle of man's free will, which rises above necessity, that law of nature,—there is another higher and divine principle in the historical progress of nations; and this is the visible guidance of an all-loving and all-ruling Providence displayed in the course of history and the march of human destiny, whether in things great or small. But the power of evil is something more than a mere power of nature, and in comparison with this it is a power of a higher and more spiritual kind. It

is that power whose influence is not only felt in the sensual inclinations of nature, but which, under the mask of a false liberty, unceasingly labors to rob man of his true freedom. Thus Providence is not a mere vague notion, a formula of belief, or a feeling of virtuous anticipation,—a mere pious conjecture,—but it is the real, effective, historical, redeeming power of God, which restores to man and the whole human race their lost freedom, and with it the effectual power of good. The problem of human existence consists in this, that man in the great stage of history, as in the little details of private life, has to choose and determine between a true heavenly freedom, ever faithful and steadfast to God, and the false, rebellious freedom of a will separated from God. The mere license of passion or of sensual appetite is no liberty, but a stern bondage under the yoke of nature. But as that false and criminal freedom is spiritual, so it is superior to nature; and it is strictly conformable to truth, to regard him as the first author of this false liberty whom Revelation represents as the mightiest, the most potent, and the most intellectual egotist among all created beings, either in the visible or the invisible world.

Without this freedom of choice innate in man or imparted to him,—this faculty of determining between the divine impulse and the suggestion of the spirit of evil,—there would be no history, and without a faith in such a principle there could be no philosophy of history. If free will were a mere psychological illusion; if, consequently, man were incapable of sentiment or deliberate action; if all in life were predetermined by necessity, and subject, like nature, to a blind, immutable destiny; in that case, what we call history, or the description of mankind, would merely constitute a branch of natural science. But such notions are utterly repugnant to the general belief and the most intimate feelings of mankind, according to which it is precisely the conflict between the good or divine principle, on the one hand, and the evil or adverse principle, on the other, which forms the purport of human life and human history from the beginning to the end of time. Without the idea of a Godhead regulating the course of human destiny, of an all-ruling Providence, and the saving and redeeming power of God, the history of the world would be a labyrinth without an outlet—a confused pile of ages buried upon ages—a mighty tragedy without a right beginning or a proper ending; and this melancholy and tragical expression is produced

on our minds by several of the great ancient historians, particularly the profoundest of them all, Tacitus, who, towards the close of antiquity, glances so dark a retrospect upon the past.

But the great historical mystery — the deepest and most complicated enigma of the world — is the permission of evil on the part of God, which can find its explanation and solution only in the unfettered freedom of man, in the destination of the latter for a state of struggle, exposed to the influence of two contending powers, and which commences with the first early mission of Adam. This is nothing else but the real and entire exercise,— the divinely-ordained trial of the faculty of freedom, imparted to the firstling of the new creation,— the image of God, in the conflict and the victory over temptation and all hostile spirits. That man only who recognizes the permission of God given to evil in its at first inconceivably wide extent — the whole magnitude of the power permitted to the wicked principle, according to the inscrutable decrees of God, from the curse of Cain — and the sign of that curse — its unimpeded transmission through all the labyrinths of error, and truth grossly disfigured — through all the false religions of heathenism,— all the ages of extreme moral corruption, and eternally repeated, and ever-increasing crime, down to the period when the anti-Christian principle — the spirit of evil — shall usurp entire dominion of the world; when mankind, sufficiently prepared, shall be summoned to the last decisive trial — the last great conflict with the enemy in all the fullness of his power: — that man only, we say, is capable of understanding the great phenomena of universal history in their often strange and dark complexity, as far, at least, as human eye can penetrate into those hidden and mysterious ways of Providence. But he who regards everything in humanity, and the progress of humanity, in a mere natural or rationalist point of view, and will explain everything by such views; who though, perhaps, not without a certain instinctive feeling of an all-ruling Providence,— a certain pious deference for its secret ways and high designs,— yet is devoid of a full knowledge of, and deep insight into, the conduct of Providence — he to whom the power of evil is not clear, evident, and fully intelligible; he will ever rest on the surface of events and historical facts, and, satisfied with the outward appearance of things, neither comprehend the meaning of the whole, nor understand the import of any part. But the matter of greatest moment is to watch the Spirit of God, revealing itself in history,

enlightening and directing the judgments of men, saving and conducting mankind, and even here below admonishing, judging, and chastising nations and generations; to watch this spirit in its progress through all ages, and discern the fiery marks and traces of its footsteps. This threefold law of the world, these three mighty principles in the historical progress of mankind,—the hidden ways of a Providence delivering and emancipating the human race; next, the free will of man, doomed to a decisive choice in the struggle of life, and every action and sentiment springing from that freedom; lastly, the power permitted by God to the evil principle cannot be deduced as things absolutely necessary, like the phenomena of nature, or the laws of human reason. Such a general deduction would by no means answer the object intended; but it is in the characteristic marks of particular events and historical facts that the visible traces of invisible power and design, or of high and hidden wisdom, must be sought for. And hence the philosophy of history is not a theory standing apart and separated from history, but its results must be drawn out of the multitude of historical facts—from the faithful record of ages, and must spring up, as it were, of themselves, from bare observation. And here an unprejudiced mind will discern the motive, and also the justification, of the course we have pursued; for in the philosophy of history we have not to do with any system,—any series of abstract notions, positions, and conclusions, as in the construction of a mere theory,—but with the general principles only of historical investigation and historical judgment.

In the multitude, however, of historical phenomena, all things, especially in times of great party conflicts, are of a mixed nature, where, in the selection of characteristic traits, we should rather avoid than seek for any rude and violent contrasts. For while, on the one hand, in any great historical contest, we are bound to recognize the full justice of the true cause, yet, on the other, we shall often find some flaw—some stain—some weak point connected with that cause—not inherent in the cause itself, but chargeable solely on human infirmity. Or when we must condemn the revolution of any period as pernicious in its general relations and reprehensible in itself, we shall often see some motive lie concealed in its origin,—in its first proceedings,—which taken in itself, and abstractedly of subsequent errors, and the false consequences thence deduced, comprises some important indications

of right,— some lofty aspirations after truth. Every general assertion must be restricted by exceptions, and qualified by various modifications; and as in historical events, so in historical narration and speculation, nothing is so hurtful and unprofitable as an absolute mode of reflection, inquiry, and decision. This remark we may apply by anticipation to the whole period of latter ages, and as inculcating the necessity of that conciliatory spirit which true philosophy cannot fail of adopting for its rule. It is only when we have gone very deeply into the varied and complex nature of the circumstances of any age and examined in their manifold bearings these historical phenomena which attend or produce the critical turning points, the decisive eras of history, that we can clearly discover the spiritual elements,— the great ideas which lie at the bottom of a mighty revolution in society. In every other abstract science, an exception from the rule appears a contradiction, but in the science of history every real exception serves but the better to make us comprehend and judge the rest.

# CARL SCHURZ

(1829–)

IT WOULD be hard to overestimate the importance of the work done in America by Carl Schurz and other German Liberals who came with him to the United States after the failure of the revolutionary movement of 1848 and 1849. Republican institutions and the principles of constitutional government have had no truer friends. Their influence has been exerted in America to check the tendency to reaction towards the mediæval condition they left Europe to escape. Mr. Schurz was born at Liblar, in Prussia, March 2d, 1829. He studied at Bonn in 1847 and 1848. Taking part in the Revolution of the latter year, he was arrested, but escaped to Switzerland, and three years later came to America. He soon became prominent as a member of the Republican party, and in 1861 President Lincoln appointed him Minister to Spain. Resigning that office to enter the Union army, he served at Chancellorsville, Gettysburg, and other battles, leaving the army with the rank of Major General. From 1869 to 1875 he represented Missouri in the United States Senate, beginning there the work for the reform of the Civil Service which did so much to force the Liberal Republican movement of 1872, and the even more decisive "Mugwump" revolt of 1884. He was Secretary of the Interior from 1877 to 1881, retiring to devote himself to journalism and literature. As a writer of English prose, Mr. Schurz has had few superiors in his generation. His 'Life of Henry Clay' is, without doubt, the best of all the biographies of that statesman, and one of the best of its class. As a public speaker, Mr. Schurz is noted for his plainness and directness. His style is unornamented and businesslike, but, in spite of their lack of the poetical quality, his speeches have done much to make American history.

## PUBLIC OFFICES AS PRIVATE PERQUISITES

(From a Speech in the United States Senate, January 27th, 1871)

AFTER the incoming of this administration, a gentleman of my acquaintance who had strong "claims" desired to be appointed postmaster in a Western city, but the President happened to put one of his own friends into that office, and so the man to be provided for could not be postmaster. Then the delegation of his State agreed to make him pension agent at the same place, but an influential member of that delegation opposed it, and so he could not be pension agent. Then he took his case into his own hands, for he knew that he was a man to be provided for, and the President nominated him as minister resident to a South American republic. Having obtained that, he thought he could obtain more. He saw a chance to be appointed minister plenipotentiary to another Government, and, sure enough, he received the nomination for that also. Then his nomination came into the Senate, and was rejected. There was a terrible disappointment! and yet the man to be provided for was provided for. He was finally sent as a governor to a Territory. Thus, sir, under the present intelligent system of making appointments, the same man aspired to a post office, a pension agency, a minister residentship, a full mission, and finally landed in the governorship of a Territory; and the appointing power, yielding to the peculiar pressure characteristic of the existing system, declared him fit for all these places consecutively. And all this in seven days, save the territorial governorship, which was discovered for him afterward.

And with him there were a multitude of men to be provided for at the same time; there always are a good many more than there are places to put them in. Do you complain of the unnecessary multiplication of offices? That evil is unavoidable as long as we suffer under the system which recognizes men to be provided for. Must it not be clear to every observing mind that our present mode of making appointments is a blindfold game, a mere haphazard proceeding? Was Mr. Lincoln very wrong when once, in a moment of despair, he said with grim humor: "I have discovered a good way of providing officers for this Government; put all the names of the applicants into one pepper-box and all the offices [illegible] ther shake the two, and

make appointments just as the names and the offices happen to drop out together."

Now, sir, you as an enlightened citizen of the world, observing these things, find this rather a wild way in which the affairs of this great Republic are carried on at Washington. You are somewhat bewildered, and you extend your inquiries further, to ascertain whether the same wild way prevails everywhere else. You go to New York. You visit the customhouse; you know of the magnitude of the interests administered there; you know that the revenues of that customhouse are now far larger than were the revenues of the whole Government not a great many years ago; you notice how complicated that tremendous machinery is, teeming with weighers, and gaugers, and inspectors, and appraisers, and examiners, and clerks of all descriptions. A new collector has just been appointed to direct and control that mighty engine. He is a sort of a President on a small scale. Being a new man, you find him perplexed with the greatness, variety, delicacy, and responsibility of his duties; duties new to him, duties which, in their complexity, he will not be able clearly to understand, much less successfully to perform, without careful study and close application. And yet, what is he doing? The same thing which you found the President to be doing, and the members of the Cabinet; he is distributing offices. He is overwhelmed with applications. He has received, in a few days, about fifteen thousand of them, and the pressure of applicants and their friends bids fair to drive him crazy. He, too, is obliged to take to pieces the whole machinery of the customhouse and to reconstruct it again in a hurry. You ask him, Why all this? He will tell you it is a political necessity, a political necessity, sir! Is not the first political necessity the conscientious and efficient collection of the revenue? No, sir. He will tell you that there is a political necessity far above that, of a much higher order; and you discover that the great customhouse at New York is essentially a political machine. It is to control, as much as possible, the politics of the City and State of New York in the interest of the ruling party.

Now, sir, what are the influences pressing upon that unfortunate potentate, the collector? We heard the Senator from New York [Mr. Conkling] say the other day that he had carefully abstained from making any recommendations for office in the customhouse. I certainly believe his assertion; and all honor to him

for it. But I am sure that here we behold not the rule, but an exception. To show you what congressional influences are sometimes active, I will again refer to the report of the Retrenchment Committee, from which I desire the secretary to read what I have marked.

[The chief clerk read as follows in reply to the question of how or through what influence a Deputy Collector obtained his appointment:]

"Answer. In the first place, Senator Edmunds, of Vermont, and Mr. Griswold, of New York, made strong efforts to get me the appointment of collector of customs at Brownsville or Corpus Christi, Texas. They did not succeed. I was too black a Republican. Judge Olin also went to the secretary and told him how long he had known me and what my character was. One day I met Mr. Creecy on the street, and he told me I had the best influence in the country for any position in the Treasury Department, and he asked me if I did not know any Democratic Members or Senators. I told him no. He named over different ones, and I said: 'I do not know them.' At last I said, laughingly: 'I know John Morrissey. I know John, but, of course, he is no good.' Creecy said: 'He is just the man you want; he has never asked anything yet. Get Morrissey to ask for a place for you and you will be taken care of.' Going down the street I met Mr. Stephens, a lawyer on Seventh Street, a friend of mine, and I told him of my conversation with Creecy. Said he: 'The idea of you being recommended by John Morrissey! I would starve first.' Said I: 'I will not starve, and if John Morrissey can get me a place I am going to have it.' I went and saw Morrissey, and Morrissey wrote a letter to Colonel Cooper, stating he had known me from boyhood, and requesting that I be provided for. I took that up and gave it to Colonel Cooper, who had always received me very pleasantly, and he told me to come next day and he would see. Then he said: 'Go up stairs and tell Mr. Creecy that I sent you up to look over the books and select the place you want.'"

Mr. Schurz — Let me interrupt the secretary there. I will state, in order to shorten the story, that the gentleman was appointed, and that this case happened under the administration of Andrew Johnson, when Mr. Smythe was collector of New York. There is a sample of congressional appointment in the customhouse at New York, and what has happened is not unlikely to happen again. It is the natural outgrowth of the system.

But congressional influences are by no means the worst, in filling places in the customhouse. They may, and undoubtedly

do, sometimes lead to the appointment of good men. But now the ward politician of the great Babel steps upon the scene with his followers, the mighty man who packs caucuses and controls nominations, who does the heavy work at the ballot box, and attends to the political work done in the grogshops. His voice is heard in the distribution of office, and the voice of such men of influence cannot be disregarded with impunity.

The other day the Senator from New Hampshire [Mr. Patterson] showed you that, as the investigations of the Retrenchment Committee prove, the New York customhouse, too, suffers from men to be provided for, for whom offices must be created, even if the service does not need them. He cited the case of an old apple-woman having a stand near the customhouse, who had been on the pay roll of that institution at New York for months. I presume she represents the case of a woman to be provided for. She had, perhaps, some son or cousin keeping a grocery in one of the lower wards, who exercised political influence, and, in order to propitiate that man of power, the "claims" of the old apple-woman had to be recognized by putting her name on the pay roll of the customhouse.

You notice officers there called inspectors,—officers whose duties are of the very highest consequence. They, in fact, to a very great extent hold the revenue of the customhouse in their hands, for they have to watch the unloading of ships and see to it that no goods are smuggled into the city from the vessels arriving in that port. What class of people are those inspectors taken from? We heard it said the other day by the Senator from New Hampshire that they, as they themselves confess, are in the habit of accepting bribes of fifteen to fifty dollars for each vessel that is unloaded under their supervision; that they accept those bribes as a rule, not as an exception. And those officers are selected from that class of people of whom the Senator from New York told us that, yielding to the frailties of human nature, they would naturally drift into the habit of taking presents or bribes, and you could not expect anything else. If you cannot expect anything else, what becomes of the revenue? But I will admit, under the present system of distributing offices, you have, indeed, no right to expect anything better.

I will not go into any further particulars. You may think that in New York things were in a bad condition, but that at other places they would present themselves differently. Go across

the continent to San Francisco and you will find exactly the same system working there, leading to similar results. You will be told there that under the prevailing system five collectors went out of office as defaulters to the Government. You will be told that under the law officers are to be examined before they are appointed, and yet the very heads of those establishments will, at the same time, inform you that the examination is a mere farce; that as soon as the examining board knows whom the collector wants appointed, the favored candidates will pass the examination without the least difficulty. And so you go from place to place; you examine office after office, and you will find the same system at work, and you will find that it tends to produce similar results, only different in degree.

# LUCIUS ANNÆUS SENECA

(4 B. C.–65 A. D.)

WHETHER or not the address to Nero, attributed to Seneca by Tacitus, was actually delivered as Tacitus reports it, it is a fair illustration of the only kind of eloquence possible in Rome after the fall of the Republic. Of the younger Pliny's imitations of Cicero, only the eulogy of Trajan survives, and one of his recent biographers calls it "a labored production which scarcely excites regret that the rest have perished"; so that, except for a few eulogies of the emperors or pleas before them, such as this attributed to Seneca, Roman oratory, it may be fairly said, died with Cicero and the Republic. Seneca's philosophical works in prose are numerous, and the exalted morality they inculcate is in strong contrast with the degradation forced on him by his connection with Nero. He was born at Corduba, but was brought to Rome, when a child, by his parents and carefully educated in rhetoric and philosophy. His first prominence was achieved as a pleader in law cases, but under Caligula he became a member of the Senate and in the first year of the reign of Claudius he was of sufficient importance to be banished at the instigation of Messalina. In 49 B. C. he was recalled and made tutor to Nero. When, six years later, his pupil became Emperor, he was the "power behind the throne" until his attempts to restrain Nero's vices made him odious and led to his downfall. His ruin came 65 A. D. in the shape of an order to commit suicide, which he at once obeyed. The tragedies attributed to him have been spoken of lightly by some critics, but they contain many passages of great beauty. The chorus in the 'Troades' beginning—

> "*Verum est an fabula timidos decipit*
> *Umbras vivere corporibus conditis.*"—

is without doubt the noblest surviving example of Latin iambic verse. The occasion for the address to Nero, as explained by Tacitus, is suggested in the speech itself,—the attacks made upon Seneca by his enemies because of his wealth accumulated while he was acting as Prime Minister. He was not allowed to retire to private life, and the ruin he anticipated was not long postponed. It is said that he was very avaricious, and that he habitually lent money at excessive rates of usury.

## HIS ADDRESS TO NERO

(Reported by Tacitus as Having Been Delivered 62 A. D.)

IT IS now, Cæsar, the fourteenth year since I was placed near your person; of your reign it is the eighth. In that space of time you have lavished upon me both wealth and honors with so liberal a hand that to complete my happiness nothing now is necessary but moderation and contentment. In the humble request which I presume to make, I shall take the liberty to cite a few examples, far indeed above my condition, but worthy of you. Augustus, your illustrious ancestor, permitted Marcus Agrippa to retire to Mitylene; he allowed Mæcenas to live almost a stranger in Rome, and in the heart of the city to dwell, as it were, in solitude. The former of those illustrious men had been the companion of his wars; the latter supported the weight of his administration; both, it is true, received ample rewards, but rewards fairly earned by great and eminent services. For myself, if you except some attainments in literature, the fruit of studies pursued in the shade of retirement, what merit can I assume? My feeble talents are supposed to have seasoned your mind with the first tincture of letters, and that honor is beyond all recompense.

But your liberality knows no bounds. You have loaded me with favors and with riches. When I reflect on your generosity, I say to myself: Shall a man of my level, without family pretensions, the son of a simple knight, born in a distant province, presume to rank with the grandees of Rome? My name, the name of a new man, figures among those who boast a long and splendid line of ancestors. Where is now the mind, which long since knew that to be content with little is true happiness? The philosopher is employed in laying out gardens and improving pleasure grounds. He delights in the extent of ample villas; he enjoys a large rent-roll, and has sums of money laid out at interest. I have but one apology: your munificence was a command, and it was not for me to resist.

But the measure of generosity on your part, and submission on mine, is now complete. What a prince could give, you have bestowed; what a friend could take, I have received. More will only serve to irritate envy and inflame the malice of my enemies. You, indeed, tower above the passions of ill-designing men; I am

open to their attacks; I stand in need of protection. In a campaign, or on a march, if I found myself fatigued and worn out with toil, I should not hesitate to sue for some indulgence. Life is a state of warfare; it is a long campaign in which a man in years, sinking under a load of cares, and even by his riches made obnoxious, may crave leave to retire. I am willing to resign my wealth; let the auditors of the imperial revenue take the account, and let the whole return to its fountain head. By this act of self-denial, I shall not be reduced to poverty; I shall take part with that superfluity which glitters in the eyes of my enemies, and for the rest the time which is spent in the improving of gardens and the embellishing of villas I shall transfer to myself, and for the future lay it out in the cultivation of my mind. You are in the vigor of your days; a long train of years lies before you. In full possession of the sovereign power, you have learned the art of reigning. Old age may be permitted to seek repose. It will, hereafter, be your glory that you knew how to choose men of moderation who could descend from the summit of fortune to dwell with peace and humble content in the vale of life.

# WILLIAM H. SEWARD

(1801–1872)

THE sentence with which William H. Seward opened his speech at Rochester, on October 25th, 1858, gives in a score of words the secret of his power. «Fellow-Citizens,» he said, in response to the cheers which greeted him: «The unmistakable outbreaks of zeal which occur all around me show that you are all earnest men — and such a man am I.»

This earnestness made Seward one of the most powerful men of the nineteenth century. It inspires every syllable of the Rochester speech and makes it, beyond comparison, the most effective partisan speech of the civil-war period. No one else has even approached it. It had all the forces of civil war in it. Its stern periods fall into line, and wheel to the attack as do army corps of veterans disciplined by defeat and made relentless by the memory of loss. Such a man as Seward could not have made such a speech if peace had been possible, and it is not logical therefore to say, as has been said, that this speech forced the war. It merely stated the issues in which war was about to be joined; on which it had become inevitable; and on which it was so soon to be declared. At the South, indeed, it was accepted as a declaration of war, and the brief time which intervened before the «overt act» of hostility was merely a period of preparation for it. Jefferson Davis, who represented at the South the same readiness for the issue and the same earnestness Seward did at the North, called his the greatest intellect of the Republican party, and the judgment — acute as Mr. Davis's judgments of his opponents very often were — is not unlikely to be accepted even in this generation. In breadth of sympathy with the masses of the people and in the supreme power it gives, Seward cannot be compared to Lincoln, who was also greatly his superior in political subtlety and in knowledge of all the devices of «practical politics.» But in pure intellect and the power it exerts when directed by deep earnestness, Seward had no equal among the founders of the Republican party.

If we concede this and remember that he was moreover a man of deep and tender emotional nature, incapable of being permanently controlled by malice or hate, and full of all benevolence except for what he looked on as oppression, it will not be hard to understand why as a strenuous partisan he was able to make such a speech as

that he delivered at Rochester, or why, after the close of the war, he was driven out of politics by his own friends, to die heartbroken, as Webster had done before him. When the war was over, he used all his great force to prevent a despotism from being established, under pretense of reconstructing the Republic; and by what he did, under impulsion of the same principle, to overthrow the empire of Maximilian in Mexico, he influenced the course of civilization for centuries to come.

Born in Orange County, New York, he graduated at one of the minor colleges of the State and began life as an unpretentious lawyer in the town of Auburn, which remained his residence until his death, on October 10th, 1872. During his whole career in politics, he was a Whig of the eighteenth century, when "Whiggery" meant the use of superior brains and superior advantages to force progress against all its opponents of whatever class. He was as consistent in this when acting with Andrew Johnson, a typical representative of "crude Democracy," as he was when opposing Jefferson Davis, who to him represented the most objectionable form of aristocracy. The Republican party, which he helped to organize, he intended should represent these principles, and it was to force issues on them that he became a candidate for the Republican presidential nomination in 1860. He had every advantage in the contest except one — that of the greatly diversified and painful experience which made Lincoln what he was, giving him his extraordinary knowledge of the strength and weakness of human nature. Lacking this, Seward was out-generaled in the Republican national convention and beaten most easily at the time when his defeat seemed most nearly impossible. But being above merely selfish ambition, he took the place of Secretary of State in Lincoln's Cabinet, and his great force of intellect was silently exerted as a controlling force in the greatest emergencies, both under Lincoln and Johnson. No doubt he is happy in having escaped the hero worship which makes the weaknesses and the faults, even the crimes of the object of its adoration, the model of its imitation. But he will not escape the justice which will come to him finally in the full forgiveness and spontaneous admiration of those on whose kindred, "overtaken in a fault," he did so much to force a so dreadful and memorable retribution.

W. V. B.

## THE IRREPRESSIBLE CONFLICT

(Delivered at Rochester, Monday, October 25th, 1858)

*Fellow-Citizens:—*

THE unmistakable outbreaks of zeal which occur all around me show that you are earnest men — and such a man am I. Let us, therefore, at least for a time, pass by all secondary and collateral questions, whether of a personal or of a general nature, and consider the main subject of the present canvass. The Democratic party, or, to speak more accurately, the party which wears that attractive name, is in possession of the Federal Government. The Republicans propose to dislodge that party and dismiss it from its high trust.

The main subject, then, is whether the Democratic party deserves to retain the confidence of the American people. In attempting to prove it unworthy, I think that I am not actuated by prejudices against that party, or by prepossessions in favor of its adversary; for I have learned, by some experience, that virtue and patriotism, vice and selfishness, are found in all parties, and that they differ less in their motives than in the policies they pursue.

Our country is a theatre, which exhibits in full operation two radically different political systems, the one resting on the basis of servile or slave labor, the other on the basis of voluntary labor of freemen.

The laborers who are enslaved are all negroes, or persons more or less purely of African derivation. But this is only accidental. The principle of the system is, that labor in every society, by whomsoever performed, is necessarily unintellectual, groveling, and base; and that the laborer, equally for his own good and for the welfare of the State, ought to be enslaved. The white laboring man, whether native or foreigner, is not enslaved, only because he cannot, as yet, be reduced to bondage.

You need not be told now that the slave system is the older of the two, and that once it was universal.

The emancipation of our own ancestors, Caucasians and Europeans as they were, hardly dates beyond a period of five hundred years. The great melioration of human society which modern times exhibit is mainly due to the incomplete substitution of the

system of voluntary labor for the old one of servile labor, which has already taken place. This African slave system is one which, in its origin and in its growth, has been altogether foreign from the habits of the races which colonized these States, and established civilization here. It was introduced on this new continent as an engine of conquest, and for the establishment of monarchical power, by the Portuguese and the Spaniards, and was rapidly extended by them all over South America, Central America, Louisiana, and Mexico. Its legitimate fruits are seen in the poverty, imbecility, and anarchy, which now pervade all Portuguese and Spanish America. The free-labor system is of German extraction, and it was established in our country by emigrants from Sweden, Holland, Germany, Great Britain, and Ireland. We justly ascribe to its influences the strength, wealth, greatness, intelligence, and freedom which the whole American people now enjoy. One of the chief elements of the value of human life is freedom in the pursuit of happiness. The slave system is not only intolerant, unjust, and inhuman toward the laborer, whom, only because he is a laborer, it loads down with chains and converts into merchandise, but is scarcely less severe upon the freeman, to whom, only because he is a laborer from necessity, it denies facilities for employment, and whom it expels from the community because it cannot enslave and convert him into merchandise also. It is necessarily improvident and ruinous, because, as a general truth, communities prosper and flourish, or droop and decline, in just the degree that they practice or neglect to practice the primary duties of justice and humanity. The free-labor system conforms to the Divine law of equality, which is written in the hearts and consciences of men, and therefore is always and everywhere beneficent.

The slave system is one of constant danger, distrust, suspicion, and watchfulness. It debases those whose toil alone can produce wealth and resources for defense, to the lowest degree of which human nature is capable, to guard against mutiny and insurrection, and thus wastes energies which otherwise might be employed in national development and aggrandizement.

The free-labor system educates all alike, and, by opening all the fields of industrial employment, and all the departments of authority, to the unchecked and equal rivalry of all classes of men, at once secures universal contentment, and brings into the highest possible activity all the physical, moral, and social energies of the

whole State. In States where the slave system prevails, the masters, directly or indirectly, secure all political power, and constitute a ruling aristocracy. In States where the free-labor system prevails, universal suffrage necessarily obtains, and the State inevitably becomes, sooner or later, a republic or democracy.

Russia yet maintains slavery, and is a despotism. Most of the other European States have abolished slavery, and adopted the system of free labor. It was the antagonistic political tendencies of the two systems which the first Napoleon was contemplating when he predicted that Europe would ultimately be either all Cossack or all Republican. Never did human sagacity utter a more pregnant truth. The two systems are at once perceived to be incongruous. But they are more than incongruous,—they are incompatible. They never have permanently existed together in one country, and they never can. It would be easy to demonstrate this impossibility, from the irreconcilable contrast between their great principles and characteristics. But the experience of mankind has conclusively established it. Slavery, as I have already intimated, existed in every State in Europe. Free labor has supplanted it everywhere except in Russia and Turkey. State necessities developed in modern times are now obliging even those two nations to encourage and employ free labor; and already, despotic as they are, we find them engaged in abolishing slavery. In the United States slavery came into collision with free labor at the close of the last century, and fell before it in New England, New York, New Jersey, and Pennsylvania, but triumphed over it effectually, and excluded it for a period yet undetermined from Virginia, the Carolinas, and Georgia. Indeed, so incompatible are the two systems, that every new State which is organized within our ever-extending domain makes its first political act a choice of the one and an exclusion of the other, even at the cost of civil war, if necessary. The slave States, without law, at the last national election, successfully forbade, within their own limits, even the casting of votes for a candidate for President of the United States supposed to be favorable to the establishment of the free-labor system in new States.

Hitherto, the two systems have existed in different States, but side by side within the American Union. This has happened because the Union is a confederation of States. But in another aspect, the United States constitute only one nation. Increase

of population, which is filling the States out to their very borders, together with a new and extended network of railroads and other avenues, and an internal commerce which daily becomes more intimate, is rapidly bringing the States into a higher and more perfect social unity or consolidation. Thus, these antagonistic systems are continually coming into closer contact, and collision results.

Shall I tell you what this collision means? They who think that it is accidental, unnecessary, the work of interested or fanatical agitators, and therefore ephemeral, mistake the case altogether. It is an irrepressible conflict between opposing and enduring forces, and it means that the United States must and will, sooner or later, become either entirely a slaveholding nation, or entirely a free-labor nation. Either the cotton and rice fields of South Carolina and the sugar plantations of Louisiana will ultimately be tilled by free labor, and Charleston and New Orleans become marts for legitimate merchandise alone, or else the rye-fields and wheatfields of Massachusetts and New York must again be surrendered by their farmers to slave culture and to the production of slaves, and Boston and New York become once more markets for trade in the bodies and souls of men. It is the failure to apprehend this great truth that induces so many unsuccessful attempts at final compromise between the slave and free States, and it is the existence of this great fact that renders all such pretended compromises, when made, vain and ephemeral. Startling as this saying may appear to you, fellow-citizens, it is by no means an original or even a modern one. Our forefathers knew it to be true, and unanimously acted upon it when they framed the Constitution of the United States. They regarded the existence of the servile system in so many of the States with sorrow and shame, which they openly confessed, and they looked upon the collision between them, which was then just revealing itself, and which we are now accustomed to deplore, with favor and hope. They knew that either the one or the other system must exclusively prevail.

Unlike too many of those who in modern times invoke their authority, they had a choice between the two. They preferred the system of free labor, and they determined to organize the Government and so to direct its activity that that system should surely and certainly prevail. For this purpose, and no other, they based the whole structure of Government broadly on the

principle that all men are created equal, and therefore free,—little dreaming that, within the short period of one hundred years, their descendants would bear to be told by any orator, however popular, that the utterance of that principle was merely a rhetorical rhapsody; or by any judge, however venerated, that it was attended by mental reservations which rendered it hypocritical and false. By the Ordinance of 1787 they dedicated all of the national domain not yet polluted by slavery to free labor immediately, thenceforth, and forever; while by the new Constitution and laws they invited foreign free labor from all lands under the sun, and interdicted the importation of African slave labor, at all times, in all places, and under all circumstances whatsoever. It is true that they necessarily and wisely modified this policy of freedom by leaving it to the several States, affected as they were by differing circumstances, to abolish slavery in their own way and at their own pleasure, instead of confiding that duty to Congress, and that they secured to the slave States, while yet retaining the system of slavery, a three-fifths representation of slaves in the Federal Government, until they should find themselves able to relinquish it with safety. But the very nature of these modifications fortifies my position that the fathers knew that the two systems could not endure within the Union, and expected that within a short period slavery would disappear forever. Moreover, in order that these modifications might not altogether defeat their grand design of a Republic maintaining universal equality, they provided that two-thirds of the States might amend the Constitution.

It remains to say on this point only one word to guard against misapprehension. If these States are again to become universally slaveholding, I do not pretend to say with what violations of the Constitution that end shall be accomplished. On the other hand, while I do confidently believe and hope that my country will yet become a land of universal freedom, I do not expect that it will be made so otherwise than through the action of the several States co-operating with the Federal Government, and all acting in strict conformity with their respective Constitutions.

The strife and contentions concerning slavery, which gently-disposed persons so habitually deprecate, are nothing more than the ripening of the conflict which the fathers themselves, not only thus regarded with favor, but which they may be said to have instituted.

It is not to be denied, however, that thus far the course of that contest has not been according to their humane anticipations and wishes. In the field of Federal politics, slavery, deriving unlooked-for advantages from commercial changes, and energies unforeseen from the facilities of combination between members of the slaveholding class and between that class and other property classes, early rallied, and has at length made a stand, not merely to retain its original defensive position, but to extend its sway throughout the whole Union. It is certain that the slaveholding class of American citizens indulge this high ambition, and that they derive encouragement for it from the rapid and effective political successes which they have already obtained. The plan of operation is this: By continued appliances of patronage and threats of disunion, they will keep a majority favorable to these designs in the Senate, where each State has an equal representation. Through that majority they will defeat, as they best can, the admission of free States, and secure the admission of slave States. Under the protection of the Judiciary, they will, on the principle of the Dred Scott case, carry slavery into all the Territories of the United States now existing, and hereafter to be organized. By the action of the President and the Senate, using the treaty-making power, they will annex foreign slaveholding States. In a favorable conjuncture they will induce Congress to repeal the Act of 1808, which prohibits the foreign slave trade, and so they will import from Africa, at the cost of only twenty dollars a head, slaves enough to fill up the interior of the continent. Thus relatively increasing the number of slave States, they will allow no amendment to the Constitution prejudicial to their interest; and so, having permanently established their power, they expect the Federal Judiciary to nullify all State laws which shall interfere with internal or foreign commerce in slaves. When the free States shall be sufficiently demoralized to tolerate these designs, they reasonably conclude that slavery will be accepted by those States themselves. I shall not stop to show how speedy or how complete would be the ruin which the accomplishment of these slaveholding schemes would bring upon the country. For one, I should not remain in the country to test the sad experiment. Having spent my manhood, though not my whole life, in a free State, no aristocracy of any kind, much less an aristocracy of slaveholders, shall ever make the laws of the land in which I shall be content to live. Having seen the society around

me universally engaged in agriculture, manufactures, and trade, which were innocent and beneficent, I shall never be a denizen of a State where men and women are reared as cattle, and bought and sold as merchandise. When that evil day shall come, and all further effort at resistance shall be impossible, then, if there shall be no better hope for redemption than I can now foresee, I shall say with Franklin, while looking abroad over the whole earth for a new and more congenial home: "Where liberty dwells, there is my country."

You will tell me that these fears are extravagant and chimerical. I answer, they are so; but they are so only because the designs of the slaveholders must and can be defeated. But it is only the possibility of defeat that renders them so. They cannot be defeated by inactivity. There is no escape from them, compatible with nonresistance. How, then, and in what way, shall the necessary resistance be made? There is only one way. The Democratic party must be permanently dislodged from the Government. The reason is, that the Democratic party is inextricably committed to the designs of the slaveholders, which I have described. Let me be well understood. I do not charge that the Democratic candidates for public office now before the people are pledged to, much less that the Democratic masses who support them really adopt, those atrocious and dangerous designs. Candidates may, and generally do, mean to act justly, wisely, and patriotically, when they shall be elected; but they become the ministers and servants, not the dictators, of the power which elects them. The policy which a party shall pursue at a future period is only gradually developed, depending on the occurrence of events never fully foreknown. The motives of men, whether acting as electors, or in any other capacity, are generally pure. Nevertheless, it is not more true that "Hell is paved with good intentions" than it is that earth is covered with wrecks resulting from innocent and amiable motives.

The very constitution of the Democratic party commits it to execute all the designs of the slaveholders, whatever they may be. It is not a party of the whole Union, of all the free States and of all the slave States; nor yet is it a party of the free States in the North and in the Northwest; but it is a sectional and local party, having practically its seat within the slave States, and counting its constituency chiefly and almost exclusively there. Of all its representatives in Congress and in the Electoral College,

two-thirds uniformly come from these States. Its great element of strength lies in the vote of the slaveholders, augmented by the representation of three-fifths of the slaves. Deprive the Democratic party of this strength, and it would be a helpless and hopeless minority, incapable of continued organization. The Democratic party, being thus local and sectional, acquires new strength from the admission of every new slave State, and loses relatively by the admission of every new free State in the Union.

A party is, in one sense, a joint-stock association, in which those who contribute most direct the action and management of the concern. The slaveholders contributing in an overwhelming proportion to the capital strength of the Democratic party, they necessarily dictate and prescribe its policy. The inevitable caucus system enables them to do so with a show of fairness and justice. If it were possible to conceive for a moment that the Democratic party should disobey the behests of the slaveholders, we should then see a withdrawal of the slaveholders, which would leave the party to perish. The portion of the party which is found in the free States is a mere appendage, convenient to modify its sectional character, without impairing its sectional constitution, and is less effective in regulating its movement than the nebulous tail of the comet is in determining the appointed though apparently eccentric course of the fiery sphere from which it emanates.

To expect the Democratic party to resist slavery and favor freedom is as unreasonable as to look for Protestant missionaries to the Catholic Propaganda of Rome. The history of the Democratic party commits it to the policy of slavery. It has been the Democratic party, and no other agency, which has carried that policy up to its present alarming culmination. Without stopping to ascertain critically the origin of the present Democratic party, we may concede its claim to date from the era of good feeling which occurred under the administration of President Monroe. At that time, in this State, and about that time in many others of the free States, the Democratic party deliberately disfranchised the free colored, or African citizen, and it has pertinaciously continued this disfranchisement ever since. This was an effective aid to slavery; for while the slaveholder votes for his slaves against freedom, the freed slave in the free States is prohibited from voting against slavery.

In 1824 the Democracy resisted the election of John Quincy Adams,— himself before that time an acceptable Democrat,— and in 1828 it expelled him from the presidency, and put a slaveholder in his place, although the office had been filled by slaveholders thirty-two out of forty years.

In 1836 Martin Van Buren — the first nonslaveholding citizen of a free State to whose election the Democratic party ever consented — signalized his inauguration into the presidency by a gratuitous announcement that under no circumstances would he ever approve a bill for the abolition of slavery in the District of Columbia. From 1838 to 1844, the subject of abolishing slavery in the District of Columbia and in the national dockyards and arsenals was brought before Congress by repeated popular appeals. The Democratic party thereupon promptly denied the right of petition, and effectually suppressed the freedom of speech in Congress, so far as the institution of slavery was concerned.

From 1840 to 1843, good and wise men counseled that Texas should remain outside of the Union until she should consent to relinquish her self-instituted slavery; but the Democratic party precipitated her admission into the Union, not only without that condition, but even with a covenant that the State might be divided and reorganized so as to constitute four slave States instead of one.

In 1846 when the United States became involved in a war with Mexico, and it was apparent that the struggle would end in the dismemberment of that republic, which was a nonslaveholding power, the Democratic party rejected a declaration that slavery should not be established within the territory to be acquired. When in 1850, governments were to be instituted in the Territories of California and New Mexico, the fruits of that war, the Democratic party refused to admit New Mexico as a free State, and only consented to admit California as a free State on the condition, as it has since explained the transaction, of leaving all of New Mexico and Utah open to slavery, to which was also added the concession of perpetual slavery in the District of Columbia and the passage of an unconstitutional, cruel, and humiliating law for the recapture of fugitive slaves, with a further stipulation that the subject of slavery should never again be agitated in either chamber of Congress. When in 1854 the slaveholders were contentedly reposing on these great advantages,

then so recently won, the Democratic party, unnecessarily, officiously, and with superserviceable liberality, awakened them from their slumber, to offer and force on their acceptance the abrogation of the law which declared that neither slavery nor involuntary servitude should ever exist within that part of the ancient Territory of Louisiana which lay outside of the State of Missouri, and north of the parallel of 36° 30′ north latitude — a law which, with the exception of one other, was the only statute of freedom then remaining in the Federal code.

In 1856, when the people of Kansas had organized a new State within the region thus abandoned to slavery, and applied to be admitted as a Free State into the Union, the Democratic party contemptuously rejected their petition and drove them, with menaces and intimidations from the halls of Congress, and armed the President with military power to enforce their submission to a slave code, established over them by fraud and usurpation. At every subsequent stage of the long contest which has since raged in Kansas, the Democratic party has lent its sympathies, its aid, and all the powers of the Government which it controlled, to enforce slavery upon that unwilling and injured people. And now, even at this day, while it mocks us with the assurance that Kansas is free, the Democratic party keeps the State excluded from her just and proper place in the Union, under the hope that she may be dragooned into the acceptance of slavery.

The Democratic party, finally, has procured from a Supreme Judiciary, fixed in its interest, a decree that slavery exists by force of the Constitution in every Territory of the United States, paramount to all legislative authority either within the Territory, or residing in Congress.

Such is the Democratic party. It has no policy, State or Federal, for finance, or trade, or manufacture, or commerce, or education, or internal improvements, or for the protection or even the security of civil or religious liberty. It is positive and uncompromising in the interest of slavery — negative, compromising, and vacillating, in regard to everything else. It boasts its love of equality and wastes its strength, and even its life, in fortifying the only aristocracy known in the land. It professes fraternity, and, so often as slavery requires, allies itself with proscription. It magnifies itself for conquests in foreign lands, but it sends the national eagle forth always with chains, and not the olive branch in his fangs.

This dark record shows you, fellow-citizens, what I was unwilling to announce at an earlier stage of this argument, that of the whole nefarious schedule of slaveholding designs which I have submitted to you, the Democratic party has left only one yet to be consummated — the abrogation of the law which forbids the African slave trade.

Now, I know very well that the Democratic party has at every stage of these proceedings disavowed the motive and the policy of fortifying and extending slavery, and has excused them on entirely different and more plausible grounds. But the inconsistency and frivolity of these pleas prove still more conclusively the guilt I charge upon that party. It must, indeed, try to excuse such guilt before mankind, and even to the consciences of its own adherents. There is an instinctive abhorrence of slavery, and an inborn and inhering love of freedom in the human heart, which renders palliation of such gross misconduct indispensable. It disfranchised the free African on the ground of a fear that, if left to enjoy the right of suffrage, he might seduce the free white citizen into amalgamation with his wronged and despised race. The Democratic party condemned and deposed John Quincy Adams because he expended $12,000,000 a year, while it justifies his favored successor in spending $70,000,000, $80,000,000, and even $100,000,000 a year. It denies emancipation in the District of Columbia, even with compensation to masters and the consent of the people, on the ground of an implied constitutional inhibition, although the Constitution expressly confers upon Congress sovereign legislative power in that district, and although the Democratic party is tenacious of the principle of strict construction. It violated the express provisions of the Constitution in suppressing petition and debate on the subject of slavery, through fear of disturbance of the public harmony, although it claims that the electors have a right to instruct their representatives, and even demand their resignation in cases of contumacy. It extended slavery over Texas, and connived at the attempt to spread it across the Mexican territories, even to the shores of the Pacific Ocean, under a plea of enlarging the area of freedom. It abrogated the Mexican Slave Law and the Missouri Compromise prohibition of slavery in Kansas, not to open the new Territories to slavery, but to try therein the new and fascinating theories of nonintervention and popular sovereignty; and, finally, it overthrew both these new and elegant systems by the English Lecompton Bill and the

Dred Scott Decision, on the ground that the free States ought not to enter the Union without a population equal to the representative basis of one Member of Congress, although slave States might come in without inspection as to their numbers.

Will any member of the Democratic party now here claim that the authorities chosen by the suffrages of the party transcended their partisan platforms, and so misrepresented the party in the various transactions I have recited? Then I ask him to name one Democratic statesman or legislator, from Van Buren to Walker, who either timidly or cautiously like them, or boldly or defiantly like Douglas, ever refused to execute a behest of the slaveholders, and was not therefor, and for no other cause, immediately denounced, and deposed from his trust, and repudiated by the Democratic party for that contumacy.

I think, fellow-citizens, that I have shown you that it is high time for the friends of freedom to rush to the rescue of the Constitution, and that their very first duty is to dismiss the Democratic party from the administration of the Government.

Why shall it not be done? All agree that it ought to be done. What, then, shall prevent its being done? Nothing but timidity or division of the opponents of the Democratic party.

Some of these opponents start one objection, and some another. Let us notice these objections briefly. One class say that they cannot trust the Republican party; that it has not avowed its hostility to slavery boldly enough, or its affection for freedom earnestly enough.

I ask in reply: Is there any other party which can be more safely trusted? Every one knows that it is the Republican party or none, that shall displace the Democratic party. But I answer further, that the character and fidelity of any party are determined, necessarily, not by its pledges, programmes, and platforms, but by the public exigencies, and the temper of the people when they call it into activity. Subserviency to slavery is a law written, not only on the forehead of the Democratic party, but also in its very soul — so resistance to slavery, and devotion to freedom, the popular elements now actively working for the Republican party among the people, must and will be the resources for its ever-renewing strength and constant invigoration.

Others cannot support the Republican party, because it has not sufficiently exposed its platform, and determined what it will do, and what it will not do, when triumphant. It may prove too

progressive for some, and too conservative for others. As if any party ever foresaw so clearly the course of future events as to plan a universal scheme for future action, adapted to all possible emergencies. Who would ever have joined even the Whig party of the Revolution, if it had been obliged to answer, in 1775, whether it would declare for independence in 1776, and for this noble Federal Constitution of ours in 1787, and not a year earlier or later?

The people of the United States will be as wise next year, and the year afterward, and even ten years hence, as we are now. They will oblige the Republican party to act as the public welfare and the interests of justice and humanity shall require, through all the stages of its career, whether of trial or triumph.

Others will not venture an effort, because they fear that the Union would not endure the change. Will such objectors tell me how long a Constitution can bear a strain directly along the fibres of which it is composed? This is a Constitution of freedom. It is being converted into a Constitution of slavery. It is a Republican Constitution. It is being made an aristocratic one. Others wish to wait until some collateral questions concerning temperance, or the exercise of the elective franchise, are properly settled. Let me ask all such persons, whether time enough has not been wasted on these points already, without gaining any other than this single advantage, namely, the discovery that only one thing can be effectually done at one time, and that the one thing which must and will be done at any one time is just that thing which is most urgent, and will no longer admit of postponement or delay. Finally, we are told by faint-hearted men that they despond; the Democratic party, they say, is unconquerable, and the dominion of slavery is consequently inevitable. I reply to them, that the complete and universal dominion of slavery would be intolerable enough when it should have come after the last possible effort to escape should have been made. There would, in that case, be left to us the consoling reflection of fidelity to duty.

But I reply, further, that I know — few, I think, know better than I — the resources and energies of the Democratic party, which is identical with the slave power. I do ample justice to its traditional popularity. I know further — few, I think, know better than I — the difficulties and disadvantages of organizing a new political force like the Republican party, and the obstacles

it must encounter in laboring without prestige and without patronage. But, notwithstanding all this, I know that the Democratic party must go down, and that the Republican party must rise into its place. The Democratic party derived its strength, originally, from its adoption of the principles of equal and exact justice to all men. So long as it practiced this principle faithfully, it was invulnerable. It became vulnerable when it renounced the principle, and since that time it has maintained itself, not by virtue of its own strength, or even of its traditional merits, but because there as yet had appeared in the political field no other party that had the conscience and the courage to take up, and avow, and practice the life-inspiring principles which the Democratic party had surrendered. At last, the Republican party has appeared. It avows now, as the Republican party of 1800 did, in one word, its faith and its works: "Equal and exact justice to all men." Even when it first entered the field, only half organized, it struck a blow which only just failed to secure complete and triumphant victory. In this, its second campaign, it has already won advantages which render that triumph now both easy and certain.

The secret of its assured success lies in that very characteristic which, in the mouth of scoffers, constitutes its great and lasting imbecility and reproach. It lies in the fact that it is a party of one idea; but that idea is a noble one — an idea that fills and expands all generous souls; the idea of equality — the equality of all men before human tribunals and human laws, as they all are equal before the Divine tribunal and Divine laws.

I know, and you know, that a revolution has begun. I know, and all the world knows, that revolutions never go backward. Twenty Senators and a hundred Representatives proclaim boldly in Congress to-day sentiments and opinions and principles of freedom which hardly so many men, even in this free State, dared to utter in their own homes twenty years ago. While the Government of the United States, under the conduct of the Democratic party, has been all that time surrendering one plain and castle after another to slavery, the people of the United States have been no less steadily and perseveringly gathering together the forces with which to recover back again all the fields and all the castles which have been lost, and to confound and overthrow, by one decisive blow, the betrayers of the Constitution and freedom forever.

## RECONCILIATION IN 1865

(From a Speech Delivered by Secretary Seward, on the Twentieth of October, 1865, to His Friends and Neighbors at Auburn, in Return for the Public Congratulations Offered Him on His Escape from Assassination)

WE ARE continually hearing debates concerning the origin and authority of the plan of restoration. New converts, North and South, call it the President's plan. All speak of it as if it were a new and recent development. On the contrary, we now see that it is not specially Andrew Johnson's plan, nor even a new plan in any respect. It is the plan which abruptly yet distinctly offered itself to the last administration at the moment I have before recalled, when the work of restoration was to begin; at the moment when, although by the world unperceived, it did begin, and it is the only plan which thus seasonably presented itself and, therefore, is the only possible plan which then or ever afterward could be adopted. This plan, although occasionally requiring variation of details, nevertheless admits of no substantial change or modification. It could neither be enlarged nor contracted. State conventions in loyal States, however favorable — in disloyal States, however hostile, could not lawfully or effectually disallow it; and even the people themselves, when amending the Constitution of the United States, are only giving to that plan its just and needful sovereign sanction. In the meantime the executive and legislative authorities of Congress can do no more than discharge their proper functions of protecting the recently insurgent States from anarchy during the intervening period while the plan is being carried into execution. It is essential to this plan that the insurrectionary States shall by themselves and for themselves accept and adopt this plan, and thereby submit themselves to and recognize the national authority. This is what I meant when I said to Mr. Adams, in a passage which you may possibly recall, that in the sense in which the word "subjugation" was then used by the enemies of the United States at home and abroad, it was not the expectation or purpose of this Government that the Southern States should be subjugated, but that I thought that those States would be brought by the judiciously mingled exercise of pressure and persuasion to a condition in which they would voluntarily return to their allegiance. This was the explanation which Mr. Adams gave to Lord Palmerston, the Prime

Minister of England, when that great and, as I trust, not unfriendly statesman, said that he did not believe that the Federal Union could be restored, because he knew that while any man could lead a horse to the water, no man could make him drink. The plan, therefore, recognizes not the destruction, nor even the subversion of States, but their actual existence; and it reasons from facts as they are, not from assumed or possible changes to be effected by continual war — much less does it reason from mere chimeras. This absolute existence of the States which constitute the Republic is the most palpable of all the facts with which the American statesman has to deal. If many have stumbled over it into treason and rebellion, the fact for all legitimate deductions and purposes nevertheless remains. In a practical sense, at least, the States were before the American Union was. Even while they were colonies of the British Crown, they still were embryo States — several, free, self-existing, and indestructible. Our Federal Republic exists, and henceforth and forever must exist, through, not the creation, but the combination of these several free, self-existing, stubborn States. These States are not stakes driven into the ground by an imperial hand, nor are they posts hauled together, squared and hewed, and so erected loosely upon it; but they are living, growing, majestic trees, whose roots are widely spread and interlaced within the soil, and whose shade covers the earth. If at any time any of these trees shall be blown down or upturned by violence, it must be lifted up again in its proper place, and sustained by kindly hands until it has renewed its natural stability and erectness! If at any time the American Union be fractured through a lesion of one of its limbs, that limb must be restored to soundness before due constitutional health and vigor can be brought back to the whole system. If one of these limbs offend, we have indeed the power — and I will not cavil about the right — to cut it off and cast it away from us; but when we should have done that, we should have done just what other nations less wise than ourselves have done, that have submitted unnecessarily to amputation, and given up a material portion of their strength, to save themselves from apprehended destruction. We know the inherent strength, vitality, and vigor of the whole American people. We neither passionately torment any offending limb, nor consent to its being cut off, because we know that all of our limbs are

capable of being restored, and all are necessary to the prolongation of our national life. You will ask whether a reconciliation which follows so closely upon military coercion can be relied upon. Can it be sincere? Can it be permanent? I answer: Do you admit separation to be in any case possible? Does anybody now believe that it ever will hereafter become possible? Will you yourselves now or ever consent to it? You answer all these questions in the negative. Is not reconciliation, then, not only desirable, but imperative? Is any other reconciliation, under the circumstances, possible? Certainly you must accept this proposed reconciliation, or you must purpose to delay and wait until you can procure a better one. Good surgery requires that even simple wounds, much more severe ones, shall be healed, if possible, at the first intention. Would not delay necessarily prolong anarchy? Are you sure that you can procure a better reconciliation after prolonged anarchy, without employing force? Who will advocate the employment of force merely to hinder and delay, through prolonged anarchy, a reconciliation which is feasible and perfectly consistent with the Constitution? In what part of the Constitution is written the power to continue civil war against succumbing States for ultimate political triumph? What would this be but, in fact, to institute a new civil war, after one had ended with the complete attainment of the lawful objects for which it was waged? Congress and the Administration have power to levy wars against foreign States for whatever cause they see fit. Congress and the President have a right to accept or even make war against any part of the people of the United States only under their limited power to suppress sedition and insurrection, and for that purpose only. What then? Must we give up the hope of further elevation of classes in the several States without any new guaranties for individual liberty and progress? By no means. Marching in this path of progress and elevation of the masses is what we have been doing still more effectually in the prosecution of the war. It is a national march, as onward and irresistible as the late conflict between free and slave labor was vigorous and irrepressible. The plan of reconciliation we are pursuing has given us two great national advances in this progress of moral and political elevation, which are now to be made fast and firmly fixed. Firstly, it secures a voluntary abolition of slavery by every State which has engaged

in insurrection; and, secondly, it must secure and does secure an effectual adoption by the late slave States themselves of the amendment of the Federal Constitution, which declares that neither slavery nor involuntary servitude, except for crime, shall ever hereafter exist in any part of the United States. The people who have so steadily adhered to the true path of democratic progress and civilization through all the seductions of peace, and through so many difficulties and at such fearful cost in war, will now have new inducements and encouragements to persevere in that path until they shall have successfully reduced to a verity the sublime assertion of the political equality of all men, which the founders, in their immortal declaration, laid down as the true basis of American Union. It is certain that the plan of reconciliation which I have thus largely explained must and will be adopted. . . .

I omit to speak of foreign nations and of the proceedings of the Government in regard to them for two reasons: First, because the discussion of such questions is for a season necessarily conducted without immediate publicity; the other is a reason I need not assign. Nevertheless, I may say in general terms this: We have claims upon foreign nations for injuries to the United States and their citizens, and other nations have presented claims against this Government for alleged injuries to them or their subjects. Although these claims are chiefly of a personal and pecuniary nature, yet the discussion of them involves principles essential to the independence of States and harmony among the nations. I believe that the President will conduct this part of our affairs in such a manner as to yield and recover indemnities justly due, without any compromise of the national dignity and honor. With whatever jealousy we may adhere to our inherited principle of avoiding entangling alliances with foreign nations, the United States must continue to exercise — as always before our Civil War they did exercise — a just and beneficent influence in the international conduct of foreign States, particularly those which are near to us on this continent, and which are especially endeared to us by their adoption of republican institutions. That just influence of ours was impaired, as might have been apprehended, by the American people, when they fell into the distractions of civil war. With the return of peace it is coming back to us again, in greater strength than ever. I am sure that this important interest has not been lost sight of by the President of

the United States for a single moment, and I expect that we shall see republican institutions, wherever they have been heretofore established throughout the American continent, speedily vindicated, renewed, and reinvigorated. When I shall see this progress successfully worked out on the American continent, I shall then look for the signs of its successful working throughout the other continents. It is thus that I think the administrations of Abraham Lincoln and Andrew Johnson may be assumed as an epoch at which humanity will resume with new spirit and courage the career which, however slow, is, nevertheless, constantly directed toward the destruction of every form of human slavery and the political equality of all men. And now, my dear friends and neighbors, after this pleasant interview we part once more: you to continue, I hope, with unabated success and pleasure, your accustomed domestic and social pursuits; I to return to the capital, there to watch and wait and work on a little longer. But we shall meet again. We came together to-day to celebrate the end of civil war. We will come together again under next October's sun, to rejoice in the restoration of peace, harmony, and union throughout the land. Until that time I refrain from what would be a pleasant task — the forecasting of the material progress of the country, the normal increase of population by birth and immigration, and its diffusion over the now obliterated line of Mason and Dixon to the Gulf of Mexico, and over and across the Rocky Mountains along the border of Mexico to the Pacific Ocean. I say now only this: Go on, fellow-citizens! increase and multiply as you have heretofore done. Extend channels of internal commerce, as the development of agricultural, forest, and mineral resources requires. Improve your harbors, consolidate the Union now while you can, without unconstitutionally centralizing the Government, and henceforth you will enjoy, as a tribute of respect and confidence, that security at home and that consideration abroad which maritime powers of the world have of late, when their candor was specially needed, only reluctantly and partially conceded. May our Heavenly Father bless you and your families and friends, and have you all in his holy keeping until the rolling months shall bring around that happy meeting in 1866; and so for the present, farewell.

# RICHARD LALOR SHEIL

(1791–1851)

AMONG the Irish orators of the first half of the nineteenth century, Sheil was admired next to O'Connell. He was a man of varied accomplishments, a lawyer, a playwright, and an essayist, as well as a parliamentary orator. He was born in Tipperary, August 17th, 1791, and educated at Trinity College, Dublin, from which he graduated in 1811. For the next nine years his principal activity was as a dramatist. A number of his plays were very successful. In 1822–23 he was one of the founders of the Catholic Association, and promoted the agitation which resulted in the unsuccessful Catholic Relief Bill in 1825. He strongly supported O'Connell in the agitation which resulted in Catholic Emancipation in 1829. In that year he was elected to the English Parliament, where he served with distinction until 1839, when he became Vice-President of the Board of Trade under Lord Melbourne. He was Master of the Mint under Lord John Russell, and in 1850 went as British Minister to Florence, Italy, dying there May 25th, 1851. It is said of his delivery that "he produced his effects by rapid electric sentences like bolts from a thundercloud."

## IRELAND'S PART IN ENGLISH ACHIEVEMENT

(From a Speech in the English House of Commons, February 22d, 1837)

WHEREVER we turn our eyes, we see the national power dilating, expanding, and ascending; never did a liberated nation spring on in the career that freedom throws open towards improvement with such a bound as we have; in wealth, in intelligence, in high feeling, in all the great constituents of a State, we have made in a few years an astonishing progress. The character of our country is completely changed: we are free, and we feel as if we never had been slaves. Ireland stands as erect as if she had never stooped; although she once bowed her forehead to the earth, every mark and trace of her prostration have been effaced. But these are generalities; these are vague and abstract vauntings, without detail. Well, if you stand in need of

specification, it shall be rapidly, but not inconclusively, given. But hold: I was going to point to the first law offices in the country, filled by Roman Catholics; I was going to point to the second judicial office in Ireland, filled by a Roman Catholic; I was going to point to the crowds of Roman Catholics, who, in every profession and walk of life, are winning their way to eminence in the walks that lead to affluence or to honor. But one single fact suffices for my purpose: emancipation was followed by reform, and reform has thrown sixty men, devoted to the interests of Ireland, into the House of Commons. If the Clare election was a great incident; if the Clare election afforded evidence that emancipation could not be resisted, look at sixty of us (what are Longford and Carlow but a realization of the splendid intimations that Clare held out), look, I say, at sixty of us, —the majority, the great majority of the representatives of Ireland,—leagued and confederated by an obligation and a pledge as sacred as any with which men, associated for the interests of their country, were ever bound together. Thank God, we are here! I remember the time when the body to which I belong was excluded from all participation in the great legislative rights of which we are now in the possession. I remember to have felt humiliated at the tone in which I heard the cause of Ireland pleaded, when I was occasionally admitted under the gallery of the House of Commons. I felt pain at hearing us represented as humble suppliants for liberty, and as asking freedom as if it were alms that we were soliciting. Perhaps that tone was unavoidable: thank God, it is no longer necessary or appropriate. Here we are, in all regards your equals, and demanding our rights as the representatives of Britons would demand their own. We have less eloquence, less skill, less astuteness than the great men to whom, of old, the interests of Ireland were confided; but we make up for these imperfections by the moral port and national bearing that become us. In mastery of diction we may be defective; in resources of argument we may be wanting; we may not be gifted with the accomplishments by which persuasion is produced; but in energy, in strenuousness, in union, in fidelity to our country and to each other, and, above all, in the undaunted and dauntless determination to enforce equality for Ireland, we stand unsurpassed. This, then, is the power with which the noble lord courts an encounter, foretells his own victories, and triumphs in their anticipation in the House of Commons. Where

are his means of discomfiting us? To what resources does he look for the accomplishment of the wonders which he is to perform? Does he rely upon the excitement of the religious and national prejudices of England; and does he find it in his heart to resort to the "no Popery" cry? Instead of telling him what he is doing, I'll tell the country what, thirty years ago, was done. In 1807 the Whigs were in possession of Downing Street, and the Tories were in possession of St. James's Palace, but, without the people, the possession of St. James's was of no avail. The Whigs proposed that Roman Catholics should be admitted to the higher grades in the army and navy. The Tories saw that their opportunity was come, and the "no Popery" cry was raised. There existed, at that time, a great mass of prejudice in England. You had conquered Ireland and enslaved her; you hated her for the wrongs that you had done her, and despised her, and perhaps justly, for her endurance: the victim of oppression naturally becomes the object of scorn; you loathed our country, and you abhorred our creed. Of this feeling the Tories took advantage; the tocsin of fanaticism was rung; the war whoop of religious discord, the savage yell of infuriated ignorance, resounded through the country.

Events that ought to have been allowed to remain buried in the oblivion of centuries were disinterred; every misdeed of Catholics, when Catholics and Protestants imbrued their hands alternately in blood, was recalled; the ashes of the Smithfield fires were stirred, for sparks with which the popular passions might be ignited. The re-establishment of Popery; the downfall of every Protestant institution; the annihilation of all liberty, civil or religious, these were the topics with which crafty men, without remorse of conscience, worked on the popular delusion. At public assemblies, senators, more remarkable for Protestant piety than Christian charity, delivered themselves of ferocious effusions amidst credulous and enthusiastic multitudes. Then came public abuses, at which libations to the worst passions of human nature were prodigally poured out. "Rally round the King, rally round the church, rally round the religion of your forefathers," these were the invocations with which the English people were wrought into frenzy; and having, by these expedients, driven their antagonists from office, the Tories passed, themselves, the very measure for which they made their competitors the objects of their denunciation. Are you playing the same game? If you are, then

shame, shame upon you! I won't pronounce upon your motives: let the facts be their interpreters. What is the reason that a new edition of Foxe's 'Martyrs,' with hundreds of subscribers, and with the name of the Duke of Cumberland at their head, has been announced? Wherefore, from one extremity of the country to the other, in every city, town, and hamlet, is a perverse ingenuity employed, in order to inspire the people of this country with a detestation of the religion of millions of their fellow-citizens. Why is Popery, with her racks, her tortures, and her fagots, conjured up in order to appall the imagination of the English people? Why is perjury to our God, treason to our sovereign, a disregard of every obligation, divine and human, attributed to us? I leave you to answer those questions, and to give your answers, not only to the interrogatories which thus vehemently, and, I will own, indignantly I put to you, but to reply to those which must be administered to you, in your moments of meditation, by your own hearts. But, whatever be your purpose in the religious excitement which you are endeavoring to get up in this country, of this I am convinced, that the result of your expedients will correspond with their deserts, and that as we have prevailed over you before, we shall again and again discomfit you. Yes, we, the Irish millions, led on by men like those that plead the cause of those millions in this House, must (it is impossible that we should not) prevail: and I am convinced that the people of England, so far from being disposed to array themselves against us, despite any remains of the prejudices which are fast passing away in this country, feel that we are entitled to the same privileges, and extend to us their sympathies in this good and glorious cause.

What is that cause? I shall rapidly tell you. You took away our Parliament—you took from us that Parliament, which, like the House of Commons of this country, must have been under the control of the great majority of the people of Ireland, and would not, and could not, have withheld what you so long refused us. Is there a man here who doubts that if the Union had not been conceded, we should have extorted emancipation and reform from our own House of Commons? That House of Commons you bought, and paid for your bargain in gold; aye, and paid for it in the most palpable and sordid form in which gold can be paid down. But, while this transaction was pending, you told us that all distinctions should be abolished between us, and that we should become like unto yourselves. The great minister of the

time, by whom that unexampled sale of our legislature was negotiated, held out equality with England as the splendid equivalent for the loss of our national representation; and, with classical references, elucidated the nobleness of the compact into which he had persuaded the depositants of the rights of their countrymen to enter. The act of Union was passed, and twenty-nine years elapsed before any effectual measure was taken to carry its real and substantial terms into effect. At last, our enfranchisement was won by our own energy and determination; and, when it was in progress, we received assurances that, in every respect, we should be placed on a footing with our fellow-citizens; and it was more specially announced to us, that to corporations, and to all offices connected with them, we should be at once admissible.

Pending this engagement, a bill is passed for the reform of the corporations of this country; and in every important municipal locality in England councilors are selected by the people as their representatives. This important measure having been carried here, the Irish people claim an extension of the same advantages, and ground their title on the Union, on Emancipation, on Reform, and on the great principle of perfect equality between the two countries, on which the security of one country and the prosperity of both must depend. This demand on the part of Ireland is rejected; and that which to England no one was bold enough to deny, from Ireland you are determined, and you announce it, to withhold. Is this justice? You will say that it is, and I should be surprised if you did not say so. I should be surprised, indeed, if, while you are doing us wrong, you did not profess your solicitude to do us justice. From the day on which Strongbow set his foot on the shore of Ireland, Englishmen were never wanting in protestations of their deep anxiety to do us justice:—even Strafford, the deserter of the people's cause—the renegade Wentworth, who gave evidence in Ireland of the spirit of instinctive tyranny which predominated in his character—even Strafford, while he trampled upon our rights, and trod upon the heart of the country, protested his solicitude to do justice to Ireland. What marvel is it, then, that gentlemen opposite should deal in such vehement protestations? There is, however, one man of great abilities, not a member of this House, but whose talents and whose boldness have placed him in the topmost place in his party—who, disdaining all imposture, and thinking it the best course to appeal directly to the religious and

national antipathies of the people of this country — abandoning all reserve, and flinging off the slender veil by which his political associates affect to cover, although they cannot hide their motives — distinctly and audaciously tells the Irish people that they are not entitled to the same privileges as Englishmen; and pronounces them, in any particular which could enter his minute enumeration of the circumstances by which fellow-citizenship is created, in race, identity, and religion — to be aliens — to be aliens in race, to be aliens in country, to be aliens in religion. Aliens! good God! was Arthur, Duke of Wellington, in the House of Lords, and did he not start up and exclaim: "Hold! I have seen the aliens do their duty"? The Duke of Wellington is not a man of an excitable temperament. His mind is of a cast too martial to be easily moved; but, notwithstanding his habitual inflexibility, I cannot help thinking that when he heard his Roman Catholic countrymen (for we are his countrymen) designated by a phrase as offensive as the abundant vocabulary of his eloquent confederate could supply — I cannot help thinking that he ought to have recollected the many fields of fight in which we have been contributors to his renown. "The battles, sieges, fortunes that he has passed" ought to have come back upon him. He ought to have remembered that, from the earliest achievement in which he displayed that military genius which has placed him foremost in the annals of modern warfare, down to that last and surpassing combat which has made his name imperishable,— from Assaye to Waterloo,— the Irish soldiers, with whom your armies are filled, were the inseparable auxiliaries to the glory with which his unparalleled successes have been crowned. Whose were the arms that drove your bayonets at Vimiera through the phalanxes that had never before reeled in the shock of war? What desperate valor climbed the steeps and filled the moats at Badajos? All his victories should have rushed and crowded back upon his memory, —Vimiera, Badajos, Salamanca, Albuera, Toulouse, and, last of all, the greatest —. Tell me, for you were there — I appeal to the gallant soldier before me [Sir Henry Hardinge] from whose opinions I differ, but who bears, I know, a generous heart in an intrepid breast; — tell me, for you must needs remember — on that day when the destinies of mankind were trembling in the balance — while death fell in showers — when the artillery of France was leveled with a precision of the most deadly science — when her legions, incited by the voice, and inspired by the example of their

mighty leader, rushed again and again to the onset — tell me if, for an instant, when to hesitate for an instant was to be lost, the "aliens" blenched? And when at length the moment for the last and decisive movement had arrived, and the valor which had so long been wisely checked was at last let loose — when, with words familiar, but immortal, the great captain commanded the great assault — tell me, if Catholic Ireland, with less heroic valor than the natives of this your own glorious country, precipitated herself upon the foe? The blood of England, Scotland, and of Ireland flowed in the same stream, and drenched the same field. When the chill morning dawned, their dead lay cold and stark together; — in the same deep pit their bodies were deposited — the green corn of spring is now breaking from their commingled dust — the dew falls from heaven upon their union in the grave. Partakers in every peril — in the glory shall we not be permitted to participate; and shall we be told, as a requital, that we are estranged from the noble country for whose salvation our life-blood was poured out?

## IN DEFENSE OF IRISH CATHOLICS

(From a Speech Delivered in 1828)

CALUMNIATORS of Catholicism, have you read the history of your country? Of the charges against the religion of Ireland, the annals of England afford the confutation. The body of your common law was given by the Catholic Alfred. He gave you your judges, your magistrates, your high sheriffs, your courts of justice, your elective system, and, the great bulwark of your liberties, the trial by jury. Who conferred upon the people the right of self-taxation, and fixed, if he did not create, their representation? The Catholic Edward I.; while in the reign of Edward III., perfection was given to the representative system, Parliaments were annually called, and the statute against constructive treason was enacted. It is false,— foully, infamously false,— that the Catholic religion, the religion of your forefathers, the religion of seven millions of your fellow-subjects, has been the auxiliary of debasement, and that to its influence the suppression of British freedom can, in a single instance, be referred. I am loth to say that which can give you cause to take offense; but, when the faith of my country is made

the object of imputation, I cannot help, I cannot refrain, from breaking into a retaliatory interrogation, and from asking whether the overthrow of the old religion of England was not effected by a tyrant, with a hand of iron and a heart of stone; — whether Henry did not trample upon freedom, while upon Catholicism he set his foot; and whether Elizabeth herself, the virgin of the Reformation, did not inherit her despotism with her creed; whether in her reign the most barbarous atrocities were not committed; — whether torture, in violation of the Catholic common law of England, was not politically inflicted, and with the shrieks of agony the Towers of Julius, in the dead of night, did not re-echo.

You may suggest to me that in the larger portion of Catholic Europe freedom does not exist; but you should bear in mind that, at a period when the Catholic religion was in its most palmy state, freedom flourished in the countries in which it is now extinct. False, — I repeat it, with all the vehemence of indignant asseveration, — utterly false is the charge habitually preferred against the religion which Englishmen have laden with penalties and have marked with degradation. I can bear with any other charge but this, — to any other charge I can listen with endurance. Tell me that I prostrate myself before a sculptured marble; tell me that to a canvas glowing with the imagery of heaven I bend my knee; tell me that my faith is my perdition; — and, as you traverse the churchyards in which your forefathers are buried, pronounce upon those who have lain there for many hundred years a fearful and appalling sentence, — yes, call what I regard as the truth, not only an error, but a sin, to which mercy shall not be extended, — all this I will bear, — to all this I will submit, — nay, at all this I will but smile, — but do not tell me that I am in heart and creed a slave! — That, my countrymen cannot brook! In their own bosoms they carry the high consciousness that never was imputation more foully false, or more detestably calumnious!

spite of his gorgeous periods, was often coughed down; while Pitt wearied his hearers by his starch and mannerisms, and Fox tired them by his repetitions; but Sheridan won his way by a sort of fascination» — due, no doubt, to the playwright's habit of sympathy with the intellectual weaknesses as well as with the strength of his audiences. Perhaps it was this habit of not being too deep or too severe which commended him to Moore as —

«The orator, dramatist, minstrel who ran
Through each mode of the lyre and was master of all;
Whose mind was an essence compounded with art
From the finest and best of all other men's powers,
Who ruled like a wizard the world of the heart
And could call up its sunshine or bring down its showers!»

W. V. B.

## CLOSING SPEECH AGAINST HASTINGS — THE HOARD OF THE BEGUMS OF OUDE

(Sheridan's Speech on the Fourth Day, Delivered at the Impeachment Trial before the House of Lords, June 1788)

[The managers of the impeachment against Hastings assigned the prosecution of the second or «Begum charge» — the charge of robbing the Begums or Princesses of Oude — to Mr. Sheridan, and in developing the evidence he spoke four days. It is said that the speeches in which he reviewed the evidence are not reported verbatim, but the last day's speech, here given in full, seems to be as nearly an authentic record of what he actually did say as can be expected from eighteenth-century reporting.

The Begums whom Hastings robbed were the mother and widow of Sujah Dowlah, Nabob of Oude on the upper Ganges. The peculiar atrocity of the crime for which Hastings was arraigned by Sheridan consisted in the use of the young Nabob, Asoph Dowlah, a debauched and imbecile degenerate, against his mother and grandmother. The kingdom of Oude was thus robbed of millions of pounds, and finally, when other resources failed, Middleton, the resident agent of Hastings, led a body of English troops to Fyzabad, imprisoned the aged ministers of the Begums, and, by the use of starvation and the lash, extorted £600,000, leaving the Princesses of Oude «nothing for their support or comfort, not even their common household utensils.» It is for this robbery that Sheridan arraigns Hastings and his two chief accomplices, Middleton, British Resident in Oude, and Sir Elijah Impey, Chief-Justice of Bengal.]

*My Lords:* —

PERMIT me to remind you that when I last had the honor of addressing you, I concluded with submitting to the court the whole of the correspondence, as far as it could be obtained, between the principal and agents in the nefarious plot carried on against the Nabob Vizier and the Begums of Oude.

These letters demand of the court the most grave and deliberate attention, as containing, not only a narrative of that foul and unmanly conspiracy, but also a detail of the motives and ends for which it was formed, and an exposition of the trick and quibble, the prevarication and untruth with which it was then acted, and is now attempted to be defended. It will here be naturally inquired, with some degree of surprise, how the private correspondence which thus establishes the guilt of its authors came to light. This was owing to a mutual resentment, which broke out about the middle of December 1782, between the parties. Mr. Middleton, on the one hand, became jealous of the abatement of Mr. Hastings's confidence; and the Governor-General was incensed at the tardiness with which the Resident proceeded.

From this moment, shyness and suspicion between the principal and the agent took place. Middleton hesitated about the expediency of resuming the jaghires, and began to doubt whether the advantage would be equal to the risk. Mr. Hastings, whether he apprehended that Middleton was retarded by any return of humanity or sentiments of justice, by any secret combination with the Begum and her son, or a wish to take the lion's share of the plunder to himself, was exasperated at the delay. Middleton represented the unwillingness of the Nabob to execute the measure, — the low state of his finances — that his troops were mutinous for want of pay — that his life had been in danger from an insurrection among them, — and that in this moment of distress he had offered £100,000, in addition to a like sum paid before, as an equivalent for the resumption which was demanded of him. Of this offer, however, it now appears the Nabob knew nothing! In conferring an obligation, my lords, it is sometimes contrived, from motives of delicacy, that the name of the donor should be concealed from the person obliged; but here it was reserved for Middleton to refine this sentiment of delicacy so as to leave the person giving utterly ignorant of the favor he bestowed!

But, notwithstanding these little differences and suspicions, Mr. Hastings and Mr. Middleton, on the return of the latter to Calcutta in October 1782, lived in the same style of friendly collusion and fraudulent familiarity as formerly. After, however, an intimacy of about six months, the Governor-General very unexpectedly arraigns his friend before the board at Calcutta. It was on this occasion that the prisoner, rashly for himself, but happily for the purposes of justice, produced these letters. What-

ever, my lords, was the meaning of this proceeding — whether it was a juggle to elude inquiry, or whether it was intended to make an impression at Fyzabad — whether Mr. Hastings drew up the charge and instructed Mr. Middleton how to prepare the defense, or whether the accused composed the charge, and the accuser the defense, there is discernible in the transaction the same habitual collusion in which the parties lived, and the prosecution ended, as we have seen, in a rhapsody, a repartee, and a poetical quotation by the prosecutor!

The private letters, my lords, are the only part of the correspondence thus providentially disclosed which is deserving of attention. They were written in the confidence of private communication, without any motives to palliate and color facts, or to mislead. The counsel for the prisoner have, however, chosen to rely on the public correspondence, prepared, as appears on the very face of it, for the concealment of fraud and the purpose of deception. They, for example, dwelt on a letter from Mr. Middleton, dated December 1781, which intimates some supposed contumacy of the Begums; and this they thought countenanced the proceedings which afterward took place, and particularly the resumption of the jaghires; but, my lords, you cannot have forgotten that both Sir Elijah Impey and Mr. Middleton declared, in their examination at your bar, that the letter was totally false. Another letter, which mentions "the determination of the Nabob to resume the jaghires," was also dwelt upon with great emphasis; but it is in evidence that the Nabob, on the contrary, could not, by any means, be induced to sanction the measure; that it was not, indeed, till Mr. Middleton had actually issued his own *perwannas* (warrants) for the collection of the rents, that the Prince, to avoid a state of the lowest degradation, consented to give it the appearance of his act.

In the same letter, the resistance of the Begums to the seizure of their treasures is noticed as an instance of female levity, as if their defense of the property assigned for their subsistence was a matter of censure, or that they merited a reproof for feminine lightness because they urged an objection to being starved!

The opposition, in short, my lords, which was expected from the princesses, was looked to as a justification of the proceedings which afterward happened. There is not, in the private letters, the slightest intimation of the anterior rebellion, which by prudent afterthought was so greatly magnified. There is not a

syllable of those dangerous machinations which were to dethrone the Nabob, nor of those sanguinary artifices by which the English were to be extirpated. It is indeed said that if such measures were rigorously pursued as had been set on foot, the people might be driven from murmurs to resistance, and rise up in arms against their oppressors.

Where, then, my lords, is the proof of this mighty rebellion? It is contained alone, where it is natural to expect it, in the fabricated correspondence between Middleton and Hastings, and in the affidavits collected by Sir Elijah Impey!

The gravity of the business on which the Chief-Justice was employed on this occasion, contrasted with the vivacity, the rapidity, and celerity of his movements, is exceedingly curious. At one moment he appeared in Oude, at another in Chunar, at a third in Benares, procuring testimony, and in every quarter exclaiming, like Hamlet's Ghost, "Swear!" To him might also have been applied the words of Hamlet to the Ghost, "What! Truepenny! are you there?" But the similitude goes no further. He was never heard to give the injunction:

> "Taint not thy mind, nor let thy soul contrive
> Against thy mother aught!"

It is, my lords, in some degree worthy of your observation, that not one of the private letters of Mr. Hastings has at any time been disclosed. Even Middleton, when all confidence was broken between them by the production of his private correspondence at Calcutta, either feeling for his own safety, or sunk under the fascinating influence of his master, did not dare attempt a retaliation! The letters of Middleton, however, are sufficient to prove the situation of the Nabob, when pressed to the resumption of the jaghires. He is there described as being sometimes lost in sullen melancholy—at others, agitated beyond expression, exhibiting every mark of agonized sensibility. Even Middleton was moved by his distresses to interfere for a temporary respite, in which he might become more reconciled to the measure. "I am fully of opinion," said he, "that the despair of the Nabob must impel him to violence. I know, also, that the violence must be fatal to himself; but yet I think that, with his present feelings, he will disregard all consequences."

Mr. Johnson, the Assistant-Resident, also wrote to the same purpose. The words of his letter are memorable. "He thought it

would require a campaign to execute the orders for the resumption of the jaghires!" A campaign against whom? Against the Nabob, our friend and ally, who had voluntarily given the order! This measure, then, which we have heard contended was for his good and the good of his country, could truly be only enforced by a campaign! Such is British justice! Such is British humanity! Mr. Hastings guarantees to the allies of the Company their prosperity and his protection. The former he secures by sending an army to plunder them of their wealth and to desolate their soil. The latter produces the misery and the ruin of the protected. His is the protection which the vulture gives to the lamb, which covers while it devours its prey; which, stretching its baleful pinions and hovering in mid-air, disperses the kites and lesser birds of prey, and saves the innocent and helpless victim from all talons but its own.

It is curious, my lords, to remark that in the correspondence of these creatures of Mr. Hastings, and in their earnest endeavors to dissuade him from the resumption of the jaghires, not a word is mentioned of the measure being contrary to honor—to faith; derogatory to national character; unmanly or unprincipled. Knowing the man to whom they were writing, their only arguments were, that it was contrary to policy and expediency. Not one word do they mention of the just claims which the Nabob had to the gratitude and friendship of the English. Not one syllable of the relation which subsisted between him and the princesses they were about to plunder. Not one syllable is hinted of justice or mercy. All which they addressed to him was the apprehension that the money to be procured would not be worth the danger and labor with which it must be attended. There is nothing, my lords, to be found in the history of human turpitude; nothing in the nervous delineations and penetrating brevity of Tacitus; nothing in the luminous and luxuriant pages of Gibbon, or of any other historian, dead or living, who, searching into measures and characters with the rigor of truth, presents to our abhorrence depravity in its blackest shapes, which can equal, in the grossness of the guilt, or in the hardness of heart with which it was conducted, or in the low and groveling motives, the acts and character of the prisoner. It was he who, in the base desire of stripping two helpless women, could stir the son to rise up in vengeance against them; who, when that son had certain touches of nature in his breast, certain feelings

of an awakened conscience, could accuse him of entertaining peevish objections to the plunder and sacrifice of his mother; who, having finally divested him of all thought, all reflection, all memory, all conscience, all tenderness and duty as a son, all dignity as a monarch; having destroyed his character and depopulated his country, at length brought him to violate the dearest ties of nature, in countenancing the destruction of his parents. This crime, I say, has no parallel or prototype in the Old World or the New, from the day of original sin to the present hour. The victims of his oppression were confessedly destitute of all power to resist their oppressors. But their debility, which from other bosoms would have claimed some compassion, at least with respect to the mode of suffering, with him only excite the ingenuity of torture. Even when every feeling of the Nabob was subdued; when, as we have seen, my lords, nature made a last, lingering, feeble stand within his breast; even then, that cold spirit of malignity, with which his doom was fixed, returned with double rigor and sharper acrimony to its purpose, and compelled the child to inflict on the parent that destruction of which he was himself reserved to be the final victim.

Great as is this climax, in which, my lords, I thought the pinnacle of guilt was attained, there is yet something still more transcendently flagitious. I particularly allude to his [Hastings's] infamous letter, falsely dated the fifteenth of February, 1782, in which at the very moment he had given the order for the entire destruction of the Begums, and for the resumption of the jaghires, he expresses to the Nabob the warm and lively interest which he took in his welfare; the sincerity and ardor of his friendship; and that, though his presence was eminently wanted at Calcutta, he could not refrain from coming to his assistance, and that in the meantime he had sent four regiments to his aid; so deliberate and cool, so hypocritical and insinuating, is the villainy of this man! What heart is not exasperated by the malignity of a treachery so barefaced and dispassionate? At length, however, the Nabob was on his guard. He could not be deceived by this mask. The offer of the four regiments developed in him the object of Mr. Hastings. He perceived the dagger bunglingly concealed in the hand, which was treacherously extended as if to his assistance. From this moment the last faint ray of hope expired in his bosom. We accordingly find no further confidence of the Nabob in the prisoner. Mr Middleton now swayed his iron scep-

tre without control. The jaghires were seized. Every measure was carried. The Nabob, mortified, humbled, degraded, sunk into insignificance and contempt. This letter was sent at the very time when the troops surrounded the walls of Fyzabad; and then began a scene of horrors, which, if I wished to inflame your lordships' feelings, I should only have occasion minutely to describe —to state the violence committed on that palace which the piety of the kingdom had raised for the retreat and seclusion of the objects of its pride and veneration! It was in these shades, rendered sacred by superstition, that innocence reposed. Here venerable age and helpless infancy found an asylum! If we look, my lords, into the whole of this most wicked transaction, from the time that this treachery was first conceived, to that when, by a series of artifices the most execrable, it was brought to a completion, the prisoner will be seen standing aloof, indeed, but not inactive. He will be discovered reviewing his agents, rebuking at one time the pale conscience of Middleton, at another relying on the stouter villainy of Hyder Beg Cawn. With all the calmness of veteran delinquency, his eye will be seen ranging through the busy prospect, piercing the darkness of subordinate guilt, and disciplining with congenial adroitness the agents of his crimes and the instruments of his cruelty.

The feelings, my lords, of the several parties at the time will be most properly judged of by their respective correspondence. When the Bow (younger) Begum, despairing of redress from the Nabob, addressed herself to Mr. Middleton and reminded him of the guarantee which he had signed, she was instantly promised that the amount of her jaghire should be made good, though he said he could not interfere with the sovereign decision of the Nabob respecting the lands. The deluded and unfortunate woman "thanked God that Mr. Middleton was at hand for her relief." At this very instant he was directing every effort to her destruction; for he had actually written the orders which were to take the collection out of the hands of her agents! But let it not be forgotten, my lords, when the Begum was undeceived,—when she found that British faith was no protection—when she found that she should leave the country, and prayed to the God of nations not to grant his peace to those who remained behind,—there was still no charge of rebellion, no recrimination made to all her reproaches for the unbroken faith of the English; that, when stung to madness, she asked "how long would be her reign,"

there was no mention of her disaffection. The stress is therefore idle, which the counsel for the prisoner have striven to lay on these expressions of an injured and enraged woman. When, at last, irritated beyond bearing, she denounced infamy on the heads of her oppressors, who is there that will not say that she spoke in a prophetic spirit, and that what she then predicted has not even to its last letter, been accomplished? But did Mr. Middleton, even to this violence, retort any particle of accusation? No! he sent a jocose reply, stating that he had received such a letter under her seal, but that, from its contents, he could not suspect it to come from her; and begged, therefore, that she would endeavor to detect the forgery! Thus did he add to foul injuries the vile aggravation of a brutal jest. Like the tiger, he showed the savageness of his nature by grinning at his prey, and fawning over the last agonies of his unfortunate victim!

The letters, my lords, were then inclosed to the Nabob, who, no more than the rest, made an attempt to justify himself by imputing criminality to the Begums. He only sighed a hope that his conduct to his parents had drawn no shame upon his head, and declared his intention to punish, not any disaffection to the Begums, but some officious servants who had dared to foment the misunderstanding between them and himself. A letter was finally sent to Mr. Hastings, about six days before the seizure of the treasures from the Begums, declaring their innocence, and referring the Governor-General, in proof of it, to Captain Gordon, whose life they had protected, and whose safety should have been their justification. This inquiry was never made. It was looked on as unnecessary, because the conviction of their innocence was too deeply impressed already.

The counsel, my lords, in recommending attention to the private letters, remarked particularly that one of the latter should not be taken in evidence, because it was evidently and abstractedly private, relating the anxieties of Mr. Middleton on account of the illness of his son. This is a singular argument, indeed. The circumstance, however, undoubtedly merits strict observation, though not in the view in which it was placed by the counsel. It goes to show that some, at least, of the persons concerned in these transactions felt the force of those ties which their efforts were directed to tear asunder; that those who could ridicule the respective attachment of a mother and a son; who could prohibit the reverence of the son to the mother;

who could deny to maternal debility the protection which filial tenderness should afford, were yet sensible of the straining of those cords by which they are connected. There is something in the present business, with all that is horrible to create aversion, so vilely loathsome as to excite disgust. It is, my lords, surely superfluous to dwell on the sacredness of the ties which those aliens to feeling, those apostates to humanity, thus divided. In such an assembly as the one before which I speak, there is not an eye but must look reproof to this conduct, not a heart but must anticipate its condemnation. Filial piety! It is the primal bond of society. It is that instinctive principle which, panting for its proper good, soothes, unbidden, each sense and sensibility of man. It now quivers on every lip. It now beams from every eye. It is that gratitude which, softening under the sense of recollected good, is eager to own the vast, countless debt it never, alas! can pay, for so many long years of unceasing solicitudes, honorable self-denials, life-preserving cares. It is that part of our practice where duty drops its awe, where reverence refines into love. It asks no aid of memory. It needs not the deduction of reason. Pre-existing, paramount over all, whether moral law or human rule, few arguments can increase, and none can diminish it. It is the sacrament of our nature; not only the duty but the indulgence of man. It is his first great privilege. It is among his last most endearing delights. It causes the bosom to glow with reverberated love. It requites the visitations of nature, and returns the blessings that have been received. It fires emotion into vital principle. It changes what was instinct into a master passion; sways all the sweetest energies of man; hangs over each vicissitude of all that must pass away; and aids the melancholy virtues in their last sad tasks of life to cheer the languors of decrepitude and age; and—

"Explore the thought, explain the aching eye!"

But, my lords, I am ashamed to consume so much of your lordships' time in attempting to give a cold picture of this sacred impulse, when I behold so many breathing testimonies of its influence around me; when every countenance in this assembly is beaming and erecting itself into the recognition of this universal principle!

The expressions contained in the letter of Mr. Middleton, of tender solicitude for his son, have been also mentioned, as a

proof of the amiableness of his affections. I confess that they do not tend to raise his character in my estimation. Is it not rather an aggravation of his guilt, that he, who thus felt the anxieties of a parent, and who, consequently, must be sensible of the reciprocal feelings of a child, could be brought to tear asunder, and violate in others, all those dear and sacred bonds? Does it not enhance the turpitude of the transaction, that it was not the result of idiotic ignorance or brutal indifference? I aver that his guilt is increased and magnified by these considerations. His criminality would have been less had he been insensible to tenderness — less, if he had not been so thoroughly acquainted with the true quality of parental love and filial duty.

The jaghires being seized, my lords, the Begums were left without the smallest share of that pecuniary compensation promised by Mr. Middleton as an equivalent for the resumption. And as tyranny and injustice, when they take the field, are always attended by their camp followers, paltry pilfering and petty insult, so, in this instance, the goods taken from the princesses were sold at a mock sale at an inferior value. Even gold and jewels, to use the language of the Begums, instantly lost their value when it was known that they came from them. Their ministers were imprisoned to extort the deficiency which this fraud occasioned; and every mean art was employed to justify a continuance of cruelty toward them. Yet this was small to the frauds of Mr. Hastings. After extorting upwards of £600,000, he forbade Mr. Middleton to come to a conclusive settlement with the princesses. He knew that the treasons of our allies in India had their origin solely in the wants of the Company. He could not, therefore, say that the Begums were entirely innocent, until he had consulted the General Record of Crimes, the Cash Account of Calcutta! His prudence was fully justified by the event; for there was actually found a balance of twenty-six lacs more against the Begums, which £260,000 worth of treason had never been dreamed of before. "Talk not to us," said the Governor-General, "of their guilt or innocence, but as it suits the Company's credit. We will not try them by the Code of Justinian, nor the institutes of Timur. We will not judge them either by British laws, or their local customs! No! we will try them by the Multiplication Table; we will find them guilty by the Rule of Three; and we will condemn them according to the unerring rules of — Cocker's Arithmetic!"

My lords, the prisoner has said in his defense that the cruelties exercised toward the Begums were not by his order. But, in another part of it, he avows, "that whatever were their distresses, and whoever was the agent in the measure, it was, in his opinion, reconcilable to justice, honor, and sound policy." By the testimony of Major Scott it appears, that though the defense of the prisoner was not drawn up by himself, yet that this paragraph he wrote with his own proper hand. Middleton, it seems, had confessed his share in these transactions with some degree of compunction and solicitude as to the consequences. The prisoner, observing it, cries out to him: "Give me the pen, I will defend the measure as just and necessary. I will take something upon myself. Whatever part of the load you cannot bear, my unburdened character shall assume. Your conduct I will crown with my irresistible approbation. Do you find memory and I will find character, and thus, twin warriors, we will go into the field, each in his proper sphere of action; and assault, repulse, and contumely shall all be set at defiance!"

If I could not prove, my lords, that those acts of Mr. Middleton were in reality the acts of Mr. Hastings, I should not trouble your lordships by combating them; but as this part of his criminality can be incontestably ascertained, I appeal to the assembled legislators of this realm to say whether these acts were justifiable on the score of policy. I appeal to all the august presidents in the courts of British justice, and to all the learned ornaments of the profession, to decide whether these acts were reconcilable to justice. I appeal to the reverend assemblage of prelates feeling for the general interests of humanity and for the honor of the religion to which they belong, to determine whether these acts of Mr. Hastings and Mr. Middleton were such as a Christian ought to perform, or a man to avow!

My lords, with the ministers of the Nabob (Bahar Ally Cawn and Jewar Ally Cawn) was confined in the same prison that arch-rebel Sumshire Cawn, against whom so much criminality has been charged by the counsel for the prisoner. We hear, however, of no inquiry having been made concerning his treason, though so many were held respecting the treasures of the others. With all his guilt, he was not so far noticed as to be deprived of his food, to be complimented with fetters, or even to have the satisfaction of being scourged, but was cruelly liberated from a dungeon, and ignominiously let loose on his parole!

[Here Mr. Sheridan read the following order from Mr. Middleton to Lieutenant Rutledge in relation to the Begums' ministers, dated January 28th, 1782:—

"*Sir:*—When this note is delivered to you by Hoolas Roy, I have to desire that you order the two prisoners to be put in irons, keeping them from all food, etc., agreeably to my instructions of yesterday.

"NATH. MIDDLETON."]

The Begums' ministers, on the contrary, to extort from them the disclosure of the place which concealed the treasures, were, according to the evidence of Mr. Holt, after being fettered and imprisoned, led out on a scaffold, and this array of terrors proving unavailing, the meek-tempered Middleton, as a *dernier ressort*, menaced them with a confinement in the fortress of Churnargar. Thus, my lords, was a British garrison made the climax of cruelties! To English arms, to English officers, around whose banners humanity has ever entwined her most glorious wreath, how will this sound? It was in this fort, where the British flag was flying, that these helpless prisoners were doomed to deeper dungeons, heavier chains, and severer punishments. Where that flag was displayed which was wont to cheer the depressed, and to dilate the subdued heart of misery, these venerable but unfortunate men were fated to encounter every aggravation of horror and distress. It, moreover, appears that they were both cruelly flogged, though one was above seventy years of age. Being charged with disaffection, they vindicated their innocence—"Tell us where are the remaining treasures," was the reply. "It is only treachery to your immediate sovereigns, and you will then be fit associates for the representatives of British faith and British justice in India." O Faith! O Justice! I conjure you by your sacred names to depart for a moment from this place, though it be your peculiar residence; nor hear your names profaned by such a sacrilegious combination as that which I am now compelled to repeat—where all the fair forms of nature and art, truth and peace, policy and honor, shrink back aghast from the deleterious shade—where all existences, nefarious and vile, have sway—where, amid the black agents on one side and Middleton with Impey on the other, the great figure of the piece—characteristic in his place, aloof and independent from the puny profligacy in his train, but far from idle and inactive, turning a malignant eye on all mischief that awaits him; the multiplied apparatus of tem-

porizing expedients and intimidating instruments, now cringing on his prey, and fawning on his vengeance—now quickening the limping pace of craft, and forcing every stand that retiring nature can make to the heart; the attachments and decorums of life; each emotion of tenderness and honor; and all the distinction of national pride; with a long catalogue of crimes and aggravations beyond the reach of thought for human malignity to perpetrate or human vengeance to punish; lower than perdition—blacker than despair!

It might, my lords, have been hoped, for the honor of the human heart, that the Begums were themselves exempted from a share in these sufferings, and that they had been wounded only through the sides of their ministers. The reverse of this, however, is the fact. Their palace was surrounded by a guard, which was withdrawn by Major Gilpin to avoid the growing resentments of the people, and replaced by Mr. Middleton, through his fears of that "dreadful responsibility" which was imposed upon him by Mr. Hastings. The women, also, of the Khord Mahal, who were not involved in the Begums' supposed crimes; who had raised no subrebellion of their own; and who, it has been proved, lived in a distinct dwelling, were causelessly implicated, nevertheless, in the same punishment. Their residence surrounded with guards, they were driven to despair by famine, and when they poured forth in sad procession, were beaten with bludgeons, and forced back by the soldiery to the scene of madness which they had quitted. These are acts, my lords, which, when told, need no comment. I will not offer a single syllable to awaken your lordships' feelings; but leave it to the facts which have been stated, to make their own impression.

The inquiry, which now only remains, my lords, is, whether Mr. Hastings is to be answerable for the crimes committed by his agents. It has been fully proved that Mr. Middleton signed the treaty with the superior Begum in October 1778. He also acknowledged signing some others of a different date, but could not recollect the authority by which he did it! These treaties were recognized by Mr. Hastings, as appears by the evidence of Mr. Purling, in the year 1780. In that of October 1778, the jaghire was secured, which was allotted for the support of the women of the Khord Mahal. But still the prisoner pleads that he is not accountable for the cruelties which were exercised. His is the plea which tyranny, aided by its prime minister,

treachery, is always sure to set up. Mr. Middleton has attempted to strengthen this ground by endeavoring to claim the whole infamy in those transactions, and to monopolize the guilt. He dared even to aver that he had been condemned by Mr. Hastings for the ignominious part he had acted. He dared to avow this, because Mr. Hastings was on his trial, and he thought he never would be arraigned; but in the face of this court, and before he left the bar, he was compelled to confess that it was for the lenience, and not the severity of his proceedings, that he had been reproved by the prisoner.

It will not, my lords, I trust, be concluded that because Mr. Hastings has not marked every passing shade of guilt, and because he has only given the bold outline of cruelty, he is therefore to be acquitted. It is laid down by the law of England, that law which is the perfection of reason, that a person ordering an act to be done by his agent is answerable for that act with all its consequences, *quod facit per alium, facit per se.* Middleton was appointed in 1777 the confidential agent, the second self of Mr. Hastings. The Governor-General ordered the measure. Even if he never saw, nor heard afterward of its consequences, he was therefore answerable for every pang that was inflicted and for all the blood that was shed. But he did hear, and that instantly, of the whole. He wrote to accuse Middleton of forbearance and of neglect. He commanded him to work upon the hopes and fears of the princesses, and to leave no means untried, until, to speak his own language, which was better suited to the banditti of a cavern, "he obtained possession of the secret hoards of the old ladies." He would not allow even of a delay of two days to smooth the compelled approaches of a son to his mother on this occasion! His orders were peremptory. After this, my lords, can it be said that the prisoner was ignorant of the acts, or not culpable of the consequences? It is true he did not direct the guards, the famine, and bludgeons; he did not weigh the fetters, nor number the lashes to be inflicted on his victims; but yet he is just as guilty as if he had borne an active and personal share in each transaction. It is as if he had commanded that the heart should be torn from the bosom, and enjoined that no blood should follow. He is in the same degree accountable to the law, to his country, to his conscience, and to his God!

The prisoner has endeavored also to get rid of a part of his guilt, by observing that he was but one of the supreme council,

and that all the rest had sanctioned those transactions with their approbation. Even if it were true that others did participate in the guilt, it cannot tend to diminish his criminality. But the fact is, that the council erred in nothing so much as in a reprehensible credulity given to the declarations of the Governor-General. They knew not a word of those transactions until they were finally concluded. It was not until the January following that they saw the mass of falsehood which had been published under the title of 'Mr. Hastings's Narrative.' They were, then, unaccountably duped to permit a letter to pass, dated the twenty-ninth of November, intended to seduce the directors into a belief that they had received intelligence at that time, which was not the fact. These observations, my lords, are not meant to cast any obloquy on the council; they, undoubtedly, were deceived; and the deceit practiced on them is a decided proof of his consciousness of guilt. When tired of corporal infliction, Mr. Hastings was gratified by insulting the understanding. The coolness and reflection with which this act was managed and concerted raises its enormity and blackens its turpitude. It proves the prisoner to be that monster in nature, a deliberate and reasoning tyrant! Other tyrants of whom we read, such as a Nero or a Caligula, were urged to their crimes by the impetuosity of passion. High rank disqualified them from advice, and, perhaps, equally prevented reflection. But in the prisoner we have a man born in a state of mediocrity; bred to mercantile life; used to system; and accustomed to regularity; who was accountable to his masters, and therefore was compelled to think and to deliberate on every part of his conduct. It is this cool deliberation, I say, which renders his crimes more horrible and his character more atrocious.

When, my lords, the board of directors received the advices which Mr. Hastings thought proper to transmit, though unfurnished with any other materials to form their judgment, they expressed very strongly their doubts, and properly ordered an inquiry into the circumstances of the alleged disaffection of the Begums, declaring it, at the same time, to be a debt which was due to the honor and justice of the British nation. This inquiry, however, Mr. Hastings thought it absolutely necessary to elude. He stated to the council, in answer, "that it would revive those animosities that subsisted between the Begums and the Nabob [Asoph Dowlah], which had then subsided. If the former were

inclined to appeal to a foreign jurisdiction, they were the best judges of their own feeling, and should be left to make their own complaint." All this, however, my lords, is nothing to the magnificent paragraph which concludes this communication. "Besides," says he, "I hope it will not be a departure from official language to say that the Majesty of Justice ought not to be approached without solicitation. She ought not to descend to inflame or provoke, but to withhold her judgment until she is called on to determine." What is still more astonishing, is, that Sir John Macpherson, who, though a man of sense and honor, is rather Oriental in his imagination, and not taught in the sublime and beautiful by the immortal leader of this prosecution, was caught by this bold, bombastic quibble, and joined in the same words, "that the Majesty of Justice ought not to be approached without solicitation." But, my lords, do you, the judges of this land, and the expounders of its rightful laws, do you approve of this mockery, and call it the character of justice, which takes the form of right to excite wrong? No, my lords, justice is not this halt and miserable object; it is not the ineffective bauble of an Indian pagod; it is not the portentous phantom of despair; it is not like any fabled monster, formed in the eclipse of reason, and found in some unhallowed grove of superstitious darkness and political dismay! No, my lords. In the happy reverse of all this, I turn from the disgusting caricature to the real image! Justice I have now before me, august and pure! The abstract idea of all that would be perfect in the spirits and the aspirations of men!—where the mind rises; where the heart expands; where the countenance is ever placid and benign; where her favorite attitude is to stoop to the unfortunate; to hear their cry and to help them; to rescue and relieve, to succor and save; majestic, from its mercy; venerable, from its utility; uplifted, without pride; firm, without obduracy; beneficent in each preference; lovely, though in her frown!

On that Justice I rely; deliberate and sure, abstracted from all party purpose and political speculation; not on words, but on facts. You, my lords, who hear me, I conjure, by those rights which it is your best privilege to preserve; by that fame which it is your best pleasure to inherit; by all those feelings which refer to the first term in the series of existence, the original compact of our nature, our controlling rank in the creation. This is the call on all to administer to truth and equity, as they would

satisfy the laws and satisfy themselves with the most exalted bliss possible or conceivable for our nature; the self-approving consciousness of virtue, when the condemnation we look for will be one of the most ample mercies accomplished for mankind since the creation of the world! My lords, I have done.

## ON THE FRENCH REVOLUTION

(From a Speech Delivered in 1794)

THE noble lord's purpose is to prove that France began the war with Great Britain. This, he appears to think he has established the moment he has shown that Brissot and others have promulgated in print a great many foolish and a great many wicked general principles, mischievous to all established governments. But what was the sum of all that the noble lord told the House? What did it all prove? What, but that eternal and unalterable truth, that a long-established despotism so far degraded and debased human nature as to render its subjects, on the first recovery of their rights, unfit for the exercise of them; but never have I met, or will I meet, but with reprobation, that mode of argument which goes, in fact, to establish, as an inference from this truth, that those who have been long slaves ought, therefore, to remain so forever.

It is contended that the present state of things in France cannot stand. Without disputing any of his premises, for the present, I will grant the noble lord, not only his principle, but the foundation upon which he builds it. I agree with him, that it is contrary to the eternal and unalterable laws of nature, and to the decrees of the Maker of man and of nations, that a government, founded on and maintained by injustice, rapine, murder, and atheism, can have a fixed endurance or a permanent success; that there are, self-sown in its own bosom, the seeds of its own inevitable dissolution. But, if so, whence is our mission to become the destroying angel to guide and hasten the anger of the Deity? Who calls on us to offer, with more than mortal arrogance, the alliance of a mortal arm to the Omnipotent? or to snatch the uplifted thunder from his hand, and point our erring aim at the devoted fabric which his original will has fated to fall and crumble in that ruin which it is not in the means of man to accelerate or prevent? I concede to the noble lord the piety of his

principle: let him concede to me the justice of my conclusion; or let him attend to experience, if not to reason; and must he not admit that hitherto all the attempts of his apparently powerful, but certainly presumptuous, crusade of vengeance, have appeared unfavored by fortune and by Providence; that they have hitherto had no other effect than to strengthen the powers, to whet the rapacity, to harden the heart, to inflame the fury, and to augment the crimes of that government and that people whom we have rashly sworn to subdue, to chastise, and to reform?

## PATRIOTISM AND PERQUISITES

(From a Speech Delivered in 1794)

IS THIS a time for selfish intrigues, and the little dirty traffic for lucre and emolument? Does it suit the honor of a gentleman to ask at such a moment? Does it become the honesty of a minister to grant? What! in such an hour as this,—at a moment pregnant with the national fate, when, pressing as the exigency may be, the hard task of squeezing the money from the pockets of an impoverished people, from the toil, the drudgery of the shivering poor, must make the most practiced collector's heart ache while he tears it from them,—can it be that people of high rank, and professing high principles,—that they or their families should seek to thrive on the spoils of misery, and fatten on the meals wrested from industrious poverty? Oh, shame! shame! Is it intended to confirm the pernicious doctrine, so industriously propagated, that all public men are impostors and that every politician has his price? Or, even where there is no principle in the bosom, why does not prudence hint to the mercenary and the vain to abstain a while, at least, and wait the fitting of the times? Improvident impatience! Nay, even from those who seem to have no direct object of office or profit, what is the language which their actions speak?

"The Throne is in danger! we will support the Throne; but let us share the smiles of royalty!" "The order of nobility is in danger! I will fight for nobility," says the Viscount; "but my zeal would be greater if I were made an Earl!" "Rouse all the Marquis within me," exclaims the Earl, "and the Peerage never turned forth a more undaunted champion in its cause than I shall prove!" "Stain my green ribbon blue," cries out the illustrious

Knight, "and the fountain of honor will have a fast and faithful servant!"

What are the people to think of our sincerity? What credit are they to give to our professions? Is this system to be persevered in? Is there nothing that whispers to that right honorable gentleman that the crisis is too big, that the times are too gigantic, to be ruled by the little hackneyed and every-day means of ordinary corruption? Or, are we to believe that he has within himself a conscious feeling that disqualifies him from rebuking the ill-timed selfishness of his new allies? Let him take care that the corruptions of the Government shall not have lost it the public heart; that the example of selfishness in the few has not extinguished public spirit in the many!

## THE EXAMPLE OF KINGS

(From a Speech Delivered in 1795)

WE ARE told to look to the example of France. From the excesses of the French people in the French Revolution, we are warned against giving too much liberty to our own. It is re-echoed from every quarter, and by every description of persons in office, from the Prime Minister to the exciseman,—"Look to the example of France!" The implication is a libel upon the character of Great Britain. I will not admit the inference or the argument, that, because a people, bred under a proud, insolent, and grinding despotism,—maddened by the recollection of former injuries, and made savage by the observation of former cruelties,—a people in whose minds no sincere respect for property or law ever could have existed, because property had never been secured to them, and law had never protected them,—that the actions of such a people, at any time, much less in the hour of frenzy and fury, should furnish an inference or ground on which to estimate the temper, character, or feelings, of the people of Great Britain.

What answer would gentlemen give, if a person, affectedly or sincerely anxious for the preservation of British liberty, were to say: "Britons, abridge the power of your monarch; restrain the exercise of his just prerogative; withhold all power and resources from his government, or even send him to his electorate, from whence your voice exalted him;—for, mark what has been doing on

the Continent! Look to the example of Kings! Kings, believe me, are the same in nature and temper everywhere. Trust yours no longer; see how that shameless and perfidious despot of Prussia, that trickster and tyrant, has violated every principle of truth, honor, and humanity, in his murderous though impotent attempt at plunder and robbery in Poland! He who had encouraged and even guaranteed to them their Constitution,— see him, with a scandalous profanation of the resources which he had wrung by fraud from the credulity of Great Britain, trampling on the independence he was pledged to maintain, and seizing for himself the countries he had sworn to protect! Mark the still more sanguinary efforts of the despot of Russia, faithless not to us only, and the cause of Europe, as it is called, but craftily outwitting her perjured coadjutor, profiting by his disgrace, and grasping to herself the victim which had been destined to glut their joint rapacity. See her thanking her favorite General, Suwarrow, and, still more impious, thanking heaven for the opportunity; thanking him for the most iniquitous act of cruelty the bloody page of history records,— the murderous scene at Praga, where, not in the heat and fury of action, not in the first impatience of revenge, but after a cold, deliberate pause of ten hours, with temperate barbarity, he ordered a considerate, methodical massacre of ten thousand men, women, and children! These are the actions of monarchs! Look to the example of Kings!»

# JOHN SHERMAN

(1823–) 1906

JOHN SHERMAN was born at Lancaster, Ohio, May 10th, 1823. He was educated for the bar, and began practice in 1844. Entering politics as a Whig, he left that party to join the Republicans when issues were forced on slavery. He began his public career as a Republican Member of Congress from Ohio in 1855, serving in the House of Representatives until 1861, when he was elected to the Senate, where he remained until 1877. During the administration of President Hayes, he was Secretary of the Treasury. Returning to the Senate in 1881, he remained there until the inauguration of President McKinley, when he became Secretary of State; but being in bad health and not approving the war policy of the administration, he retired after less than a year's service.

As an extemporaneous speaker on financial topics, Mr. Sherman has scarcely been equaled in his memory for statistics and his readiness in using them effectively in debate. From 1860 until his retirement from public life, he was intimately connected with all the great financial measures of the Republican party and was bitterly assailed in consequence — one of his opponents asserting in public debate that as a financier he had done more damage during his generation than had been done by war, pestilence, and famine. No doubt Mr. Sherman felt sufficiently vindicated, a few years later, when he found among his own followers and co-workers the one-time antagonist who had made this assertion.

## THE GENERAL FINANCIAL POLICY OF THE GOVERNMENT

(Delivered in the United States Senate, February 27th, 1865)

*Mr. President:* —

I DESIRE to make some general observations to the Senate in regard to the financial condition of the country, and especially as to the details and merits of this bill. I may as well avail myself of the present occasion to do so.

The late period of the session at which the House of Representatives sent us this bill precludes full discussion upon any of

the important questions presented in it. The House is jealous of its exclusive prerogative of originating revenue bills, but it ought to give us an opportunity to exercise our undoubted power to amend them. This important measure, affecting every industrial interest of the country, declaring in its title that it is to provide revenue to support pages of printed matter, every line of which demands an examination of the previous law, was sent to us within two weeks of the close of the session. The Committee on Finance have worked diligently to prepare it for the consideration of the Senate, and now, during the closing week, with all the hurry incident to the closing days of the session, with the appropriation bills still pending between the two houses, we must urge the Senate to pass judgment upon the numerous provisions of this bill rather than discuss them.

After the first careful reading of the bill, considering the many important changes proposed in it, I was inclined to recommend that the Senate postpone it until the next session, rather than by hasty legislation to run the risk of new errors; but the necessity of the Government for new sources of revenue, the loss of revenue caused by defects in the present law, the construction put upon parts of it by revenue officers, and the palpable failure to enforce the present law, especially as to incomes, induced your committee to report it back with several amendments, and especially to provide for such an examination of the whole subject of internal taxation as would enable us to legislate in the future with fuller information. It may expedite our action to submit at the outset a few general remarks as to the necessity which compels us to impose upon our constituents the system of internal taxation provided for by this bill and the act of the last session.

Under the practice of Congress of dividing financial measures into numerous bills, all of which are considered separately, without any connection with each other, there seems no appropriate time to consider the "budget," or the general financial estimates and plans of the government. Yet it is obvious that since it is the chief duty of Congress to provide ways and means to carry on the Government, some general principles ought to be adopted and applied to all our financial measures. When at peace the United States had an ample source of revenue in a moderate rate of duty on imported goods. This tax was so light as never to be felt by our people, and its incidental effect in protecting our domestic industry made this tax a blessing rather than a

burden. But the Rebellion changed all this. We had either to submit to have our existence as a nation destroyed by a haughty, but a base, ignorant, and defeated oligarchy, or we had to assume with war its unavoidable incidents, taxation, and debt.

The people of the United States having definitely determined to prosecute war, it only remained for Congress to provide ways and means to carry it on. It is manifest now, as I then urged, that it would have been better at the first session in 1861 to have reduced to the lowest possible standard all expenditures, and to have provided a system of internal taxation. It is easy now to see the errors of the past. None of us appreciated the magnitude of the contest — the enormous armies demanded and the vast sums required for the contest. I still think that with the closest economy and heavy taxes from the beginning, we might have borrowed money enough on a specie basis to have avoided a suspension of specie payments; but when the war came we were without a currency and without a system of taxation. Gold disappeared and was hoarded by banks and individuals. It flowed in a steady stream from our country. By the Subtreasury Act we could not use the irredeemable bills of State banks; and, with the terrible lessons of 1815 and 1837 staring us in the face, no one was bold enough to advise us to adopt as a standard of value the issues of fifteen hundred banks, founded upon as many banking systems as there were States. Under these circumstances, we had but one resource. We had to borrow vast sums, and as a means to do it we had to make a currency. This was done by the issue of United States notes. Subsequently, to unite the interests of private capital with the security of the Government as a basis of banking, we established a system of national banks, and upon this currency, as a medium for collecting taxes and borrowing money, have waged a war unexampled in the grandeur of its operations, and, as I trust, soon to be crowned with unconditional success.

Such a war has not been conducted without vast expenditures. Our actual expenditure during the fiscal year ending June 30th, 1864, was $865,234,087. The estimated expenditure for the current fiscal year is $895,729,135, upon the basis of the present laws. Much more than one-half of this sum has been already expended. To this amount you must add every dollar you provide for by new laws, and this grim fact must not be overlooked for a single moment when you are making new appropriations.

Every dollar of this must be paid in the form of taxes; and that is not the worst of it,—it must be paid now.

We must get the money either by making it, by borrowing it, or by collecting it from our people. If we could postpone the borrowing until after the war is over, it would be easy; but we must have it now, and we must devise the means of getting it before we can sympathize with the poor clerk, the brave soldier, or the needy contractor. Until then your sympathy is mockery. Your very measures of relief may add more to the distress of all whose livelihood depends upon a fixed salary.

I repeat that there are but three modes of raising this money: one is by printing notes, calling them money, and compelling the people to take it; another is by issuing bonds or promises to pay in the future; and another is to collect the money by taxation. That all these modes may be resorted to is proven by the history of all modern nations when involved in war. As the first is the easiest, it is apt to be resorted to first; but it is a doubtful expedient at any time, always dangerous, and soon exhausted. If pressed too far, it destroys loans and taxes, and national bankruptcy is the inevitable result. A limited amount of this money was indispensable to us as a medium of exchange. It is like some medicines, necessary in certain cases and in moderate quantities, but when taken in excess sure death.

Paper money issued by a government is called a loan, but it has none of the elements of a loan, except the promise to pay. There can be no loan without a lender, and his act must be voluntary. In the Middle Ages, governments resorted to "forced loans," a contradiction of terms. A forced loan was merely an unjust and unequal tax. I choose to regard United States legal-tender notes not as a loan merely, but as money, lawful money, which the citizen is compelled to receive, and which now fixes the standard of value. Whether the power to issue it is derived from the power to coin money or to borrow money, or whether it is inherent in any government clothed with the attributes of sovereignty, are questions we need not discuss. We have exercised the power. It is now the currency of the country, the measure of value; and we can only regulate its form and amount, and provide for its redemption.

While we can make and have made our paper money the measure of value, we cannot fix the price or value of any commodity, whether gold, silver, or food. The attempt has been

made by many governments in different ages, and has uniformly failed. The standard of value may be fixed by the government, but a higher law fixes the relative value of all commodities as measured by this standard. We may, by our tariff or tax law, affect the relative value of commodities, but we cannot, by direct legislation, fix the value of any commodity, either in gold or paper money. When the attempt has been made, the result has usually been to advance rather than to decrease values. All our efforts to fix the value of gold as measured by our currency have failed. We may make penal the purchase and sale of gold; we may deny the use of our courts to enforce contracts for such purchases or sales; we may prohibit the exportation of gold; we may deter sales of gold by heavy taxation; yet, after all, the price of gold rises or falls as our national credit rises or falls. So far as our legislation produces revenue or strengthens our army, it produces a fall of gold as measured by our standard. So far as it merely discourages trade in gold or any other commodity, it increases its market value. We may as well recognize as an axiom of political economy, proven by the experience of all nations, by every form of government,—despotic, monarchic, or republican,—that the fixing of the values of commodities is beyond the power of legislation. We may fix the standard of value, we may fix the tax upon the commodity, and there our power ends. And especially is this so of gold, which has value in all civilized nations of the world; and, except with nations for a time involved in war, is everywhere the standard of value.

It is therefore manifest that the first duty of Congress is to keep our lawful money, as a standard of value, as near as possible to the standard of gold; and this can only be done by limiting the amount and by making it valuable to pay taxes or loans. It can only be redeemed by the Government by taxes or duties, and every tax or duty, however oppressive to the individual, which withdraws for a time our paper money, brings it nearer the standard of gold. The power to make money by issuing legal-tender bills is now exhausted. More than enough is now outstanding to supply a currency. The issue of $100,000,000 more would not only increase our debt to that amount, but would add even a greater sum to our expenditures by the increased price of commodities consumed by the war; while the imposition of an equal amount of taxes gives value to our currency, and thus reduces the price of commodities we are compelled to buy. An increase

of paper money benefits the taxpayer now at the expense of the soldier. It reduces the purchasing value of the pay of the soldier, while, by debasing the currency, it is easier for the taxpayer to pay a specific sum. In the end, however, the taxpayer loses by the increased cost of food and clothing and transportation, which must finally be paid for in gold.

I assume, then, that while the necessity for raising these vast sums is still imperative, yet one mode of doing it, and that the easiest, is exhausted. Loans and taxes are our only resource. A loan must be voluntary. It may, to some extent, be induced by patriotism. In this contest thousands of patriotic people — women, children, poor and rich alike — have loaned their savings to the Government from the purest of motives. The admirable system of distributing this loan by going out from the money centres to the remote hamlets and villages, gathering from the small savings of the people rather than from the garnered treasures of the rich, has proved a wonderful success. Yet, after all, to borrow money you must appeal to the self-interest of the lender. A great nation borrowing money will be tried by the interested tests applied by the pawnbroker to his shivering victim. The more it wants to borrow, the more it must pay. The terms upon which we now borrow prove that we have pressed this resource as far as is expedient. Tested by the present standard of gold, we now pay seven and three-tenths per cent. for three years, and twelve per cent. afterward until the debt is paid in gold. We promise to pay $1,000 in gold at the end of eight years, with interest for five of these years at six per cent. in gold, and for three years at seven and three-tenths in currency; and we receive for this promise, which must be fulfilled to the uttermost, $1,000 in currency, which will buy our soldiers no more food than $500 in gold. But this is not all. We stipulate that this property lent us shall be exempt from all the burdens which this war casts upon all other property, of State, county, and municipal taxes. This statement shows that this process of borrowing is exhausted; that we dare not extend it except for the highest object of national existence.

When I see the money thus borrowed expended on trivial objects, I cannot but look forward to the slow and hard process by which it must all be repaid in gold, with interest accumulated and accumulating, through the agency of collectors, by the inquisitorial process of this bill, and from the labor of the poor.

And if, Senators, you have thought me hard and close as to salaries and expenditures, I trust you will do me the justice to believe that it is not from any doubt of the ability of our country to pay, or from a base or selfish desire for cheap reputation, or from a disinclination to pay my share, but because I see in the dim future of our country the same uneasy struggle between capital and labor — between the rich and the poor, between fund holders and property holders — that has marked the history of Great Britain for the last fifty years. I do not wish our public debt increased one dollar beyond the necessities of the present war; and the only way to prevent this increase is to restrict our expenditures to the lowest amount consistent with the public service, and to increase our taxes to the highest aggregate our industry will bear.

These general principles induce me to support many of the taxes proposed in this bill. I regard the proposed tax on sales as indefensible in principle; yet, as a temporary expedient to raise revenue, I will vote for it. The increase of the postage on letters is only to make the Post Office Department self-supporting and to preserve the proportions between the old rate and the price of labor and commodities. The changes in the income tax are necessary to prevent a repetition of the shameless and wholesale evasions of the special income tax. This is the only tax imposed on accumulated property, the only tax on money invested in State and Government securities. It is the one that should have been paid most cheerfully, but its assessment and collection was a disreputable farce.

A still more important feature of this bill is the section to compel the withdrawal of the State-bank notes. As the volume of currency affects the price of all commodities, I have no doubt the amount of such paper money now outstanding adds to the cost of our purchases $50,000,000. The refusal of Congress at the last session to pass restrictive measures to compel its redemption has seriously affected the value of our currency. The national banks were intended to supersede the State banks. Both cannot exist together; yet, while the national system is extending, the issues of State banks have not materially decreased. Indeed, many local banks have been converted into national banks, and yet carefully keep out their State circulation. They exact interest from the people on it, and yet avail themselves of the benefits of the new system. They transfer their capital to

national banks, issue new circulation upon it, and yet studiously keep out the old. They issue two circulations upon the same capital. It is far better at once to abandon the national banking system than to leave it as a cloak for outstanding State issues.

If the State banks have power enough in Congress to prolong their existence beyond the present year, we had better suspend the organization of national banks. As the first friend of this measure in the Senate, I would vote to-day for its repeal rather than allow it to be the agency under which State banks can inflate our currency. And the power of taxation cannot be more wisely exercised than in harmonizing and nationalizing and placing on the secure basis of national credit all the money of the country.

Many of the taxes proposed by this bill are not in accordance with established rules of political economy founded upon the experience of European countries. We are new beginners in the science of taxation. The object now is less to equalize taxation than to increase revenue. All other questions must await the necessity put upon us by war to levy in the most expeditious mode the largest possible taxes, and to do this we must extend it to nearly all articles of production and consumption.

It may be truly said of some of these taxes that they are unequal. We can only reply that we need the money now, and must look chiefly to the result of the tax in revenue, leaving to the future to make such changes as experience proves to be just and proper. Taxes levied now must be paid by those at home who do not fight, while, if postponed, they will fall in a measure upon those who have fought. Taxes collected now can be paid in a depreciated currency, while, if postponed, they must be paid in gold. Taxes paid now, not only tend to reduce the present price of commodities, but, by reducing the sum to be borrowed, enable us to borrow on better terms, while taxes withheld now largely increase the sum to be levied hereafter. What we pay now, we pay without interest; what we postpone for the future, we pay threefold in accumulating interest. The war has given vast activity to all classes of industry, and has yielded enormous profit to those who are in business. It is proper that now they pay to the Government their full tax on these profits before they are consumed by expenditure. A tax system fully enforced now will enable us to relieve our people from many taxes when the

reaction of peace shall lessen the profits of industry. We cannot increase our taxes after war; we must be prepared to reduce them. Taxes are more cheerfully paid now in view of the mountain of calamity that would overwhelm us if the Rebellion should succeed; but when we reach the haven of peace, when the danger is past, you must expect discontent and complaint. The grim spectre of repudiation can never disturb us if we do our duty of taxpaying as well as our soldiers do theirs of fighting. I, therefore, conclude that every dictate of policy, every sentiment of patriotism, demand of us the largest taxation now, to be fearlessly assessed and impartially collected.

But it is impossible to consider the subject of internal taxation without some reference to our tariff laws. Though this bill does not change the present duties on imported goods, yet the same general principles must be applied to tariffs as to excises. The object now of our tariff laws should be to raise revenue. In times of peace we may discriminate in favor of our industry, we may abandon taxes to increase our commerce. Now our industry is sufficiently protected by requiring customs duties to be paid in gold, and we are in no condition to protect our commerce from foreign competition, because our vessels are the prey of English pirates. Our immediate want is revenue, and especially revenue payable in gold. We are committed to the payment of nearly sixty millions in gold annually, and must rely upon customs duties to pay this sum. We cannot forego this revenue without destroying the national credit, the value of our bonds, the basis of our currency. We cannot affect these without seriously impairing our manufactures and our commerce. I repeat that we must now frame our tariff laws solely with a view to revenue. All incidental protection or benefit to any industry must now give way during this war to the immediate and pressing need of revenue.

A different principle prevails in Great Britain, and in her present position of peace, with all her great wealth employed in commerce and manufacture, it is founded upon the highest wisdom. The principle adopted by her is thus stated by Sir Morton Peto:—

«If a customs duty, however moderate, imposed for a financial object, prevents trade with a country which would otherwise receive your goods in exchange for its products, it is surely better to remove

the duty which imposes the obstacle to commercial intercourse than, for the sake of a small revenue, to preclude the possibility of commercial exchange." . . .

But the first object of legislation in regard to customs duties should be, not to tax all articles which do not come within the class of raw materials or food, but, on the contrary, to tax those articles alone which can be taxed without injuriously affecting our trade with other countries, and to tax such articles only to such an extent as will not injuriously affect their consumption by our own people.

Upon this principle, and another equally simple, not to impose duties on the raw materials of industry and the first articles of food, was based the policy of Sir Robert Peel, which reduced the number of articles charged with duties from one thousand one hundred and sixty-three in 1841 to forty-four in 1862; and, sir, if we were at peace, with our currency restored to its normal condition, I should be very willing to discriminate in favor of our own commerce and manufactures. Although representing an interior State chiefly engaged in agriculture, yet I have always felt that the prosperity of one industry and section finally inured to the benefit of the whole nation and of every part. I therefore have supported the present tariff law, framed with a distinct view to discriminate in favor of our home industry, and I would not only so far modify the present duties as to increase the revenue. If by lowering the duty we can increase the revenue, it should be done. If by increasing the duties on any article we can increase the revenue without diminishing in a greater degree the consumption of that article, it ought to be done. During war, when our industry is fully employed in repairing the waste of war, increased importation may become a vast injury by exhausting us of gold and food, which must then be sent to pay for luxuries. Then we send abroad that which we most need, and receive that which we can do without. The true principle for a nation in our condition, struggling for its existence, is so to frame its tariff laws as to produce the greatest revenue from the least importation. When the war ceases, our armies will be disbanded and our soldiers will return to the ordinary pursuits of industry; then the English rule should be applied of levying the requisite duties on the fewest articles, and with a view to increase our commerce and protect our industry.

With the general statement, I approach the consideration of the bill. I am not entirely satisfied with it, but I am sure it will improve the present law and add some new sources of revenue. When the machinery of collecting is perfected, which can only be done by experience, the whole of these taxes will be revised. They will be arranged into classes and schedules, and simplified. Its success will depend mainly upon the commissioner of internal revenue. If he will perform his duty, and require his subordinates to do theirs, we shall realize during this calendar year $300,000,000 of internal revenue, which will be an ample basis of public credit, and will go far to reduce the public debt. If our military and naval forces complete their great duty within this year, our present system of national finance will, I confidently trust, very soon enable us to commence the permanent reduction of our national debt, and to resume specie payments within a period equal to that required in Great Britain after her wars with Napoleon. We have resources in this country, when united and at peace, far greater than those of any nation of modern times. Our accumulated wealth is not to be compared with that of Great Britain and France, but a bountiful Providence has given us sources of wealth far greater than either of these powerful nations ever had. The cotton now coming through our lines already affects the price of exchange. Petroleum is already exported to the amount of thirty-one million gallons a year. Our mineral resources are scarcely touched. Our young sister Nevada is exciting our fancy with mountains of gold and silver; and dry statistics inform us of a product there of gold and silver equal to the product of the world fifty years ago. The South is to be opened to new industry, and millions of laborers from Europe and from Asia are meeting on our favored shores to help develop our resources. We have taken our place among the great nations; but as we have attained our military position only after hard, exacting toil of military discipline, after defeats and discouragements, we can maintain our financial position only by the hard processes of taxes and economy. I wish to see the evil predictions of our enemies, at home and abroad, all belied. They prophesied disunion; we will show them union. They prophesied bankruptcy; we will see them begging for our bonds, our cotton, petroleum, and gold. Then we can provide for our public debt. Then we can restore our commerce on the high seas, now driven by British pirates to take

refuge under foreign flags. Then we may revive old doctrines about the American continent being no longer the home of European kings. Now our duty is dry, hard, exacting; but it will be the more cheering when in the future our self-sacrificing patriotism in this great crisis shall have enabled our country to enter upon its new career without a stain upon its financial honor.

# ALGERNON SIDNEY

(1622–1683)

AT HIS execution, December 7th, 1683, Algernon Sidney defined the idea he represents in the history of England and America by saying: "I am persuaded to believe that God has left nations unto the liberty of setting up such governments as best please themselves." This idea which he advocated against Filmer resulted in the American Union and its achievements during the nineteenth century. Filmer and his school held that "all men are born under a necessity derived from the laws of God and nature to submit unto an absolute kingly government." Sidney was put on trial and condemned after the Rye House plot with which he had no connection, and he was probably right in his conclusion that he was sent to the block because he had written against absolutism, and not because he was really suspected of any overt act of treason. 'His Discourses Concerning Government' were published in 1698. He was the youngest son of the second Earl of Leicester and was born in Kent about 1622. He enlisted against the King at the opening of the Civil War, and in 1644 was wounded at Marston Moor. Elected to Parliament the next year, he became a leader of the Independents and one of the most important men under the Protectorate. When the Stuarts were restored, he lived abroad until 1677, but returned to England in the belief that he could remain safe in obscurity. In this he was mistaken, but his death sentence gave him opportunity to summarize his principles on the scaffold, thus rendering the cause of progress a greater service than he could have done by another lifetime of work as a political essayist.

## HIS SPEECH ON THE SCAFFOLD—"GOVERNMENTS FOR THE PEOPLE, AND NOT THE PEOPLE FOR GOVERNMENTS"

(Delivered at His Execution, in London, December 7th, 1683)

*Men, Brethren, and Fathers; Friends, Countrymen, and Strangers:—*

IT MAY be expected that I should now say some great matters unto you; but the rigor of the season and the infirmities of my age, increased by a close imprisonment of above five months, do not permit me. Moreover, we live in an age that

maketh truth pass for treason; I dare not say anything contrary unto it, and the ears of those that are about me will probably be found too tender to hear it. My trial and condemnation sufficiently evidence this.

West, Rumsey, and Keyling, who were brought to prove the plot, said no more of me than that they knew me not; and some others equally unknown to me had used my name, and that of some others, to give a little reputation unto their designs. The Lord Howard is too infamous by his life, and the many perjuries not to be denied, or rather sworn by himself, to deserve mention; and being a single witness he would be of no value, though he had been of unblemished credit, or had not seen and confessed that the crimes committed by him would be pardoned only for committing more; and even the pardon promised could not be obtained till the drudgery of swearing was over. This being laid aside, the whole matter is reduced to the papers said to be found in my closet by the King's officers, without any other proof of their being written by me, than what is taken from suppositions upon the similitude of a hand that is easily counterfeited, and which hath been lately declared in the Lady Carr's case to be no lawful evidence in criminal causes. But if I had been seen to write them, the matter would not be much altered. They plainly appear to relate unto a large treatise written long since in answer to Filmer's book, which, by all intelligent men, is thought to be grounded upon wicked principles, equally pernicious unto magistrates and people. If he might publish unto the world his opinion, that all men are born under a necessity derived from the laws of God and nature, to submit unto an absolute kingly government, which could be restrained by no law or oath; and that he that hath the power, whether he came unto it by creation, election, inheritance, usurpation, or any other way, had the right; and none must oppose his will, but the persons and estates of his subjects must be indispensably subject unto it, I know not why I might not have published my opinion to the contrary, without the breach of any law I have yet known. I might as freely as he have declared publicly my thoughts, and the reasons upon which they were grounded; and I am persuaded to believe that God has left nations unto the liberty of setting up such governments as best please themselves. The magistrates are set up for the good of nations, not nations for the honor and glory of magistrates; that the right and power of magistrates in every

country is that which the laws of that country made it to be; that those laws were to be observed, and the oaths taken by them, having the force of a contract between magistrate and people, could not be violated without danger of dissolving the whole fabric; that usurpation could give no right, and the most dangerous of all enemies unto kings were they, who, raising their power to an exorbitant height, allowed unto usurpers all the rights belonging unto it; that such usurpations being seldom compassed without the slaughter of the reigning person, or family, the worst of all villains was thereby rewarded with the most glorious privileges; that if such doctrines were received, they would stir up men to the destruction of princes with more violence than all the passions that have hitherto raged in the hearts of the most unruly; that none could be safe, if such a reward were proposed unto any that could destroy them; that few would be so gentle as to spare even the best, if by their destruction a vile usurper could become God's anointed; and by the most execrable wickedness invest himself with that divine character.

This is the scope of the whole treatise; the writer gives such reasons as at that present did occur unto him, to prove it. This seems to agree with the doctrines of the most reverenced authors of all times, nations, and religions. The best and wisest of kings have ever acknowledged it. The present King of France hath declared that kings have that happy want of power, that they can do nothing contrary to the laws of their country, and grounds his quarrel with the King of Spain, *anno* 1667, upon that principle. King James, in his speech to the Parliament, *anno* 1603, doth in the highest degree assert it; the Scripture seems to declare it. If, nevertheless, the writer was mistaken, he might have been refuted by law, reason, and Scripture; and no man, for such matters, was ever otherwise punished than by being made to see his error; and it hath not (as I think) been ever known that they had been referred to the judgment of a jury, composed of men utterly unable to comprehend them. But there was little of this in my case; the extravagance of my prosecutors goes higher; the above-mentioned treatise was never finished, nor could be in many years, and most probably would never have been. So much as is of it was written long since, never reviewed, nor shown unto any man; and the fiftieth part of it was produced, and not the tenth of that offered to be read. That which was never known unto those who are said to have conspired with me

was said to be intended to stir up the people in prosecution of the designs of those conspirators. When nothing of particular application unto time, place, or person could be found in it (as hath ever been done by those who endeavored to raise insurrections), all was supplied by innuendoes. Whatsoever is said of the expulsion of Tarquin; the insurrection against Nero; the slaughter of Caligula, or Domitian; the translation of the crown of France from Meroven's race unto Pepin, and from his descendant unto Hugh Capet, and the like, applied by innuendo unto the King. They have not considered that, if such acts of state be not good, there is not a king in the world that has any title to the crown he bears; nor can have any, unless he could deduce his pedigree from the eldest son of Noah, and show that the succession had still continued in the eldest of the eldest line, and been so deduced to him. Every one may see what advantage this would be to all the kings in the world; and whether, that failing, it were not better for them to acknowledge they had received their crowns by the consent of willing nations; or to have no better title unto them than usurpation and violence, which, by the same ways, may be taken away from them. But I was not long since told that I must die, or the plot must die. Lest the means of destroying the best Protestants in England should fail, the Bench must be filled with such as had been blemishes to the bar. None but such as these would have advised with the King's council of the means of bringing a man to death; suffered a jury to be packed by the King's solicitors and the under sheriff; admit of jurymen who were not freeholders; receive such evidence as is above mentioned; refuse a copy of an indictment, or to suffer the statute of 46th Edward III. to be read, that doth expressly enact it should in no case be denied unto any man, upon any occasion whatsoever, to overrule the most important points of law without hearing. And whereas the statute 25th Edward III., upon which they said I should be tried, doth reserve unto Parliament all constructions to be made in points of treason, they could assume unto themselves, not only a power to make constructions, but such constructions as neither agree with law, reason, or common sense.

By these means I am brought to this place. The Lord forgive these practices, and avert the evils that threaten the nation from them. The Lord sanctify these my sufferings unto me, and

though I fall as a sacrifice unto idols, suffer not idolatry to be established in the land. Bless thy people and save them. Defend thy own cause, and defend those that defend it. Stir up such as are faint, direct those that are willing, confirm those that waver, give wisdom and integrity unto all. Order all things so as may most redound unto thine own glory. Grant that I may die glorifying thee for all thy mercies, and that at the last thou hast permitted me to be singled out as a witness of thy truth; and even by the confession of my opposers, for that old cause in which I was from my youth engaged, and for which thou hast often and wonderfully declared thyself.

# GERRIT SMITH

(1797–1874)

GERRIT SMITH, one of the most active of the American agitators for the abolition of slavery, belonged to the school of philanthropists who declared themselves nonresistants, opponents of war and violence in all its forms, and believers in the final omnipotence of moral suasion. Smith fully represented the views of these philanthropists when he said, in his speech of 1854, that "the Northern States have the right to go off into a nation by themselves and the Western States and the Southern States." He added that, though loath to see the Southern States depart, the Abolitionists would let them go in peace and follow them with their blessing. This was undoubtedly honestly intended and it is typical of that class of speeches which created in the minds of many, both at the North and the South, the delusive belief that the Union could be peaceably dissolved. Gerrit Smith was born at Utica, New York, March 6th, 1797. He was a member both of the Colonization Society and of the Antislavery Society, which succeeded it when issues for immediate abolition had been forced by the work of William Lloyd Garrison. In 1853 and 1854 he represented a New York district in Congress, and was intimately associated with John Brown in much of the work for abolition done by that aggressive propagandist. Mr. Smith died in New York city, December 28th, 1874. He took no part in public affairs after the Civil War. His speeches were collected and published in 1861.

## LIBERTY DESTROYED BY NATIONAL PRIDE

(From a Speech on the Mexican Treaty and "Monroe Doctrine," in the House of Representatives, June 27th, 1854)

FOR us to set up "the Monroe Doctrine" is to turn our backs upon the Declaration of Independence. It is to deny, to live down, to lie down, our own fundamental principles. For us to refuse to other peoples and nations the right to separate from each other, as they please; or unite with each other, as they please; or change their forms of government, as they

please; is to be guilty of repealing the principles on which our own nation deliberately founded itself. For us to restrict other governments, as "the Monroe Doctrine" would restrict them, is, virtually, to ignore and deny the foundation and legitimacy of our own government.

But, sir, we are either ignorant of ourselves or insincere. We would not approve — nay, we would not abide — "the Monroe Doctrine," were it applied to ourselves. Suppose our nation should, for any reasons whatever, wish to blend itself with Great Britain, would it be restrained from doing so by its committal to "the Monroe Doctrine"? Oh, no! And, yet, that wish would be directly in the face of "the Monroe Doctrine." Suppose Mexico and Brazil, hearing of this wish, should put their veto upon its indulgence. How quick would we scout the veto, and bid them mind their own business, whilst we minded ours? But if they have no right to forbid our fusion with Great Britain, pray, what right should we have to forbid the proposition of Hayti to join France, or Chili to join China, or (most terrific of all terrific things, in the eyes of an American filibuster!) Cuba to join England?

The truth is, that our rapid progress in population, wealth, and power has made us forgetful of the equal rights of the nations of the earth. We are disposed to measure our rights by our prosperity; and to disparage the rights of others, in the degree that their prosperity falls short of our own. In our boundless self-conceit, our might, either already is, or is very soon to be, boundless. And as is to be expected in such a case, we are already acting on, if not in terms avowing, the maxim that might makes right.

It was in the proud and arrogant spirit of our country — it was under the influence of the extravagant pretensions with which she is bloated — that the Squier Treaty was so much condemned, and the Hise Treaty so much extolled in the other wing of the capitol a year or two since. The Squier Treaty admitted that other nations of the earth might participate with ours in controlling the ship canal between the Atlantic and the Pacific. But the Hise Treaty claimed that our nation alone is worthy of controlling it; that the nation whose office is sole dictator of the whole earth should be the sole keeper of that great gateway of all the nations, and should decide when and on what terms the ships of those nations might pass through it. It was, of course, taken for

granted that all the nations of the earth would be tame enough to acquiesce promptly in this as well as all other claims of our assumed dictatorship.

> "I fix the chain to great Olympus' height,
> And the vast world hangs trembling in my sight,"

are words quite too swollen for a nation — for any collection of mere men to use — however fitted they may be to the lips of a god.

"The pride of thy heart," saith the prophet, "hath deceived thee, thou that dwellest in the clefts of the rock, whose habitation is high; that saith in his heart: 'Who shall bring me down to the ground?' Though thou exalt thyself as the eagle, and though thou set thy nest among the stars, thence will I bring thee down, saith the Lord."

Is not such the pride that we are nurturing? — the "pride," may we not fear, that "goeth before destruction"? — the "haughty spirit before a fall"?

Never has there been so self-deceived a nation as our own. That we are a nation for liberty is among our wildest conceits. We are not a nation for liberty. I refer not now to the terrible blot of slavery upon our country. I refer to our pride. No proud man is for liberty. No proud nation is for liberty. Liberty — precious boon of heaven — is meek and reasonable. She admits that she belongs to all — to the high and the low; the rich and the poor; the black and the white — and that she belongs to them all equally. The liberty for which a proud man contends is a spurious liberty; and such is the liberty for which a proud nation contends. It is tyranny; for it invades and strikes down equal rights. But true liberty acknowledges and defends the equal rights of all men and all nations. There is not time for me to expatiate upon the merits of true liberty. They will be known to all who bow themselves gratefully and lovingly to her claims. There is not time for me to prove that it is her true character which I have given to true liberty. Suffice it to say that all will see it to be such who are so happy as to escape from the hard dominion of passion and prejudice to the welcome control of reason and religion.

If this nation is to prosper, it must be by adhering to the great and precious principles avowed at its birth. One of these

principles is, that every people may choose its own form of government, and vary it as it pleases. We chose ours; and we write "hypocrite," with our own finger, upon our own foreheads, if we deny to the Haytiens, or Cubans, or any other people, the liberty to choose theirs. If Cuba propose to remain a part of Spain or to become a part of France or England, we cannot condemn the proposition, but at the expense of condemning our own deliberately-adopted and solemnly-uttered principles.

It is not for this nation to deny the right of one people to blend themselves with another people; nor the right of any people to break up their existing national relations. In other words, it is not for this nation to deny the right either of annexation or secession. I claim the right of the British provinces north of us to annex themselves to our nation if we are willing to receive them; and that, too, whether England does or does not consent to it. I claim the right of those provinces and New England to form a nation by themselves; and that, too, whether with or without the approbation of the English and American Governments. I hold that the Northern States have the right to go off into a nation by themselves; and the Western States; and the Southern States. If they will go, let them go; and we, though loving the Union, and every part of it, and willing to lose no part of it, will let them go in peace, and will follow them with our blessing, and with our warm prayer that they may return to us; and with our firm belief that they will return to us after they shall have spent a few miserable years, or, perhaps, no more than a few miserable months, in their miserable experiment of separating themselves from their brethren. Of course, I cannot forget that many — Alas, that they are so many! — would prefer following the seceders with curses and guns. Oh, how slow are men to emerge from the brutehood into which their passions and their false education have sunk them! I say brutehood; for rage and violence and war belong to it, while love and gentleness and peace are the adornments of true manhood.

I trust that I shall not be regarded as holding that a single State in our Union may set up for itself. It may not any more than a single county. Such an *imperium in imperio* would be too full of inconvenience and objection to entitle itself to the approbation of any reasonable man. My doctrine of annexation and secession is not to be stretched over every folly that may lay claim to countenance from the doctrine.

I spoke of the right of the British provinces to annex themselves to our nation. I hope, that, in due time, the right will be exercised, and that England will feel that she cannot justly resist the exercise of it. But, I hope for more than such annexation. I hope for the annexation to us of every other part of North America.

To bring the various peoples of North America into a nation with ourselves would be to bring them under a rapid process of enlightenment, civilization, and homogeneousness with each other and with us. I trust that we shall be a better people by that day. But, bad as we now are, even in that case, few of our neighbors would become worse, and most of them would become better by becoming like us. Were all North America to become one nation, it might not long remain such. But the various nations into which it would divide would be more intelligent, useful, and happy, than if they had never constituted one nation.

Let Cuba come to us if she wishes to come. She belongs to us by force of her geographical position. Let her come, even if she shall not previously abolish her slavery. I am willing to risk the subjection of her slavery to a common fate with our own. Slavery must be a short-lived thing in this land. Under our laws, rightly interpreted, and under the various mighty influences at work for liberty in this land, slavery is to come to a speedy termination. God grant that it may be a peaceful one!

I would not force Cuba into our nation, nor pay $250,000,000 for her, nor $200,000,000 — no, nor even $100,000,000. But when she wishes to come, I would have her come; and, that I may be more clearly understood on this point, I add that I would not have her wait, always, for the consent of the Spanish Government. Now, if this be filibusterism, then all I have to say is, "make the most of it!"

I do not subscribe to the doctrine that the people are the slaves and property of their government. I believe that government is for the use of the people, and not the people for the use of government. Moreover, I do not acknowledge that any nation, or province, or people, is amenable to any other human government than that which they have themselves chosen.

# GOLDWIN SMITH

(1823–)

IF IN the last decade of the nineteenth century the genius which showed itself in the eloquence of Chatham and Burke has appeared nowhere in parliamentary discussions of British imperial policies, it is certainly not because the Anglo-Saxon intellect is deteriorating. To read any one of Goldwin Smith's addresses is to be reminded that though English eloquence has changed its field, it is still a living reality and not a mere tradition. We may well hope and expect that the spirit which moved Burke and Chatham, Wilberforce and Brougham, Cobden, Bright, and Gladstone to plead with all their force for higher civilization against the barbaric tendency of the imperfectly-educated mind to trust in coercion as the only efficient method of exerting influence, will again make itself the governing power in giving direction to the domestic and colonial policies of the British Empire. It is impossible that this spirit and that high eloquence which is born from it,—which can have its origin in no other spirit,—should fail the countrymen of Pym, Sidney, and Hampden. In the last decade of the nineteenth century, however, it is to such men as Goldwin Smith rather than to professional statesmen that we must look for the eloquence which characterized the parliamentary debates of the last decade of the eighteenth. In scientific and literary addresses, rather than in the oratory of the Senate Chamber, the English intellect of the present is finding its highest and most eloquent expression. The reason is evidently a moral one, but, whatever it is, it involves no sign of intellectual degeneration. The platform oratory of the nineteenth century, of which Goldwin Smith's addresses are typical, has not been surpassed in the breadth and depth of its thought, or in the eloquence of its expression by the oratory of any age. When the time comes for the twentieth century to sit in judgment on results achieved by all centuries preceding it, it may be found that the oratory of the world reached its climax of eloquence on the platform rather than in the Forum or in the Senate.

Goldwin Smith was born at Reading, England, August 13th, 1823. After his graduation at Oxford in 1845, he was Regius Professor of Modern History there from 1858 to 1866. In 1868 he came to the United States and was for three years Professor of English and Constitutional History at Cornell University. In 1871 he removed to

Toronto and began a connection with the Toronto University, working at the same time in journalism and literature. He founded the Canadian Monthly and later the Toronto Week. He has written and spoken on a great variety of topics, exciting frequent opposition, but always commanding respect. Among his published works are a 'History of the United States,' 'A Short History of England,' 'Lectures on Modern History,' 'Relations between America and England,' 'Rational Religion,' etc.

## THE LAMPS OF FICTION

(Delivered on the Centenary of the Birth of Sir Walter Scott)

RUSKIN has lighted seven lamps of Architecture to guide the steps of the architect in the worthy practice of his art. It seems time that lamps should be lighted to guide the steps of the writer of Fiction. Think what the influence of novelists now is, and how some of them use it! Think of the multitudes who read nothing but novels; and then look into the novels which they read! I have seen a young man's whole library consisting of thirty or forty of those paper-bound volumes, which are the bad tobacco of the mind. In England, I looked over three railway bookstalls in one day. There was hardly a novel by an author of any repute on one of them. There were heaps of nameless garbage, commended by tasteless, flaunting woodcuts, the promise of which was no doubt well kept within. Fed upon such food daily, what will the mind of a nation be? I say that there is no flame at which we can light the Lamp of Fiction purer or brighter than the genius of him in honor to whose memory we are assembled here to-day. Scott does not moralize. Heaven be praised that he does not. He does not set a moral object before him, nor lay down moral rules. But his heart, brave, pure, and true, is a law to itself; and by studying what he does, we may find the law for all who follow his calling. If seven lamps have been lighted for architecture, Scott will light as many for Fiction.

I. THE LAMP OF REALITY.—The novelist must ground his work in faithful study of human nature. There was a popular writer of romances, who, it was said, used to go round to the fashionable watering places to pick up characters. That was better than nothing. There is another popular writer who, it seems, makes voluminous indices of men and things, and draws on them for

his material. This also is better than nothing. For some writers, and writers dear to the circulating libraries too, might, for all that appears in their works, lie in bed all day, and write by night under the excitement of green tea. Creative art, I suppose they call this, and it is creative with a vengeance. Not so, Scott. The human nature which he paints, he had seen in all its phases, gentle and simple, in burgher and shepherd, Highlander, Lowlander, Borderer, and Islesman; he had come into close contact with it; he had opened it to himself by the talisman of his joyous and winning presence; he had studied it thoroughly with a clear eye and an all-embracing heart. When his scenes are laid in the past, he has honestly studied history. The history of his novels is perhaps not critically accurate, not up to the mark of our present knowledge, but in the main it is sound and true — sounder and more true than that of many professed historians, and even than that of his own historical works, in which he sometimes yields to prejudice, while in his novels he is lifted above it by his loyalty to his art.

II. The Lamp of Ideality. — The materials of the novelist must be real; they must be gathered from the field of humanity by his actual observation. But they must pass through the crucible of the imagination; they must be idealized. The artist is not a photographer, but a painter. He must depict, not persons, but humanity; otherwise he forfeits the artist's name, and the power of doing the artist's work in our hearts. When we see a novelist bring out a novel with one or two good characters, and then, at the fatal bidding of the booksellers, go on manufacturing his yearly volume, and giving us the same character or the same few characters over and over again, we may be sure that he is without the power of idealization. He has merely photographed what he has seen, and his stock is exhausted. It is wonderful what a quantity of the mere lees of such writers, more and more watered down, the libraries go on complacently circulating, and the reviews go on complacently reviewing. Of course, this power of idealization is the great gift of genius. It is that which distinguishes Homer, Shakespeare, and Walter Scott from ordinary men. But there is also a moral effort in rising above the easy work of mere description to the height of art. Need it be said that Scott is thoroughly ideal, as well as thoroughly real? There are vague traditions that this man and the other was the original of some character of Scott. But who can point out the man

of whom a character in Scott is a mere portrait? It would be as hard as to point out a case of servile delineation in Shakespeare. Scott's characters are never monsters or caricatures. They are full of nature; but it is universal nature. Therefore they have their place in the universal heart, and will keep that place forever. And mark that even in his historical novels he is still ideal. Historical romance is a perilous thing. The fiction is apt to spoil the fact, and the fact the fiction; the history to be perverted and the romance to be shackled; daylight to kill dreamlight, and dreamlight to kill daylight. But Scott takes few liberties with historical facts and characters; he treats them with the costume and the manners of the period, as the background of the picture. The personages with whom he deals freely are the Peverils and the Nigels; and these are his lawful property, the offspring of his own imagination, and belong to the ideal.

III. The Lamp of Impartiality.—The novelist must look on humanity without partiality or prejudice. His sympathy, like that of the historian, must be unbounded, and untainted by sect or party. He must see everywhere the good that is mixed with evil, the evil that is mixed with good. And this he will not do, unless his heart be right. It is in Scott's historical novels that his impartiality is most severely tried and is most apparent, though it is apparent in all his works. Shakespeare was a pure dramatist; nothing but art found a home in that lofty, smooth, idealistic brow. He stands apart, not only from the political and religious passions, but from the interests of his time, seeming hardly to have any historical surroundings, but to shine like a planet suspended by itself in the sky. So it is with that female Shakespeare in miniature, Miss Austen. But Scott took the most intense interest in the political struggles of his time. He was a fiery partisan, a Tory in arms against the French Revolution. In his account of the coronation of George IV., a passionate worship of monarchy breaks forth, which, if we did not know his noble nature, we might call slavish. He sacrificed ease, and at last life, to his seignorial aspirations. On one occasion he was even carried beyond the bounds of propriety by his opposition to the Whig chief. The Cavalier was his political ancestor; the Covenanter, the ancestor of his political enemy. The idols which the Covenanting iconoclast broke were his. He would have fought against the first revolution under Montrose, and against the second under Dundee. Yet he is perfectly, serenely just to

the opposite party. Not only is he just, he is sympathetic. He brings out their worth, their valor, such grandeur of character as they have, with all the power of his art, making no distinction in this respect between friend and foe. If they have a ridiculous side he uses it for the purposes of his art, but genially, playfully, without malice. If there was a laugh left in the Covenanters, they would have laughed at their own portraits as painted by Scott. He shows no hatred of anything but wickedness itself. Such a novelist is a most effective preacher of liberality and charity; he brings our hearts nearer to the Impartial Father of us all.

IV. The Lamp of Impersonality.— Personality is lower than partiality. Dante himself is open to the suspicion of partiality; it is said, not without apparent ground, that he puts into hell all the enemies of the political cause, which, in his eyes, was that of Italy and God. A legend tells that Leonardo da Vinci was warned that his divine picture of the Last Supper would fade, because he had introduced his personal enemy as Judas, and thus desecrated art by making it serve personal hatred. The legend must be false,— Leonardo has too grand a soul. A wretched woman in England, at the beginning of the last century, Mrs. Manley, systematically employed fiction as a cover for personal libel; but such an abuse of art as this could be practiced or countenanced only by the vile. Novelists, however, often debase fiction by obtruding their personal vanities, favoritisms, fanaticisms, and antipathies. We had, the other day, a novel, the author of which introduced himself almost by name as a heroic character, with a description of his own personal appearance, residence, and habits, as fond fancy painted them to himself. There is a novelist, who is a man of fashion, and who makes the age of the heroes in his successive novels advance with his own, so that at last we shall have irresistible fascination at three score years and ten. But the commonest and the most mischievous way in which personality breaks out is pamphleteering under the guise of fiction. One novel is a pamphlet against lunatic asylums, another against model prisons, a third against the poor law, a fourth against the government offices, a fifth against trade unions. In these pretended works of imagination, facts are coined in support of a crotchet or an antipathy with all the license of fiction; calumny revels without restraint, and no cause is served but that of falsehood and injustice. A writer takes offense at the excessive popularity of athletic sports; instead of bringing

out an accurate and conscientious treatise to advocate moderation, he lets fly a novel painting the typical boating man as a seducer of confiding women, the betrayer of his friend, and the murderer of his wife. Religious zealots are very apt to take this method of enlisting imagination, as they think, on the side of truth. We had once a high Anglican novel in which the Papist was eaten alive by rats, and the Rationalist and Republican was slowly seethed in molten lead, the fate of each being, of course, a just judgment of heaven on those who presumed to differ from the author. Thus the voice of morality is confounded with that of tyrannical petulance and self-love. Not only is Scott not personal, but we cannot conceive his being so. We cannot think possible that he should degrade his art by the indulgence of egotism, or crotchets, or party piques. Least of all can we think it possible that his high and gallant nature should use art as a cover for striking a foul blow.

V. The Lamp of Purity.—I heard Thackeray thank Heaven for the purity of Dickens. I thanked Heaven for the purity of a greater than Dickens—Thackeray himself. We may all thank Heaven for the purity of one still greater than either—Sir Walter Scott. I say still greater morally, as well as in power as an artist, because in Thackeray there is cynicism, though the more genially and healthy element predominates; and cynicism, which is not good in the great writer, becomes very bad in the little reader. We know what most of the novels were before Scott. We know the impurity, half-redeemed, of Fielding, the unredeemed impurity of Smollett, the lecherous leer of Sterne, the coarseness even of Defoe. Parts of Richardson himself could not be read by a woman without a blush. As to French novels, Carlyle says of one of the most famous of the last century, that after reading it you ought to wash seven times in Jordan; but after reading the French novels of the present day, in which lewdness is sprinkled with sentimental rosewater, and deodorized, but by no means disinfected, your washings had better be seventy times seven. There is no justification for this; it is mere pandering, under whatever pretense, to evil propensities; it makes the divine art of fiction «procuress to the Lords of Hell.» If our established morality is in any way narrow and unjust, appeal to Philosophy, not to Comus; and remember that the mass of readers are not philosophers. Coleridge pledges himself to find the deepest sermons under the filth of Rabelais; but Coleridge alone

finds the sermons, while everybody finds the filth. Impure novels have brought and are bringing much misery on the world. Scott's purity is not that of cloistered innocence and inexperience, it is the manly purity of one who had seen the world, mingled with men of the world, known evil as well as good; but who, being a true gentleman, abhorred filth, and teaches us to abhor it too.

VI. The Lamp of Humanity.— One day we see the walls placarded with the advertising woodcut of a sensational novel, representing a girl tied to a table and a man cutting off her feet into a tub. Another day we are allured by a picture of a woman sitting at a sewing machine and a man seizing her from behind by the hair, and lifting a club to knock her brains out. A French novelist stimulates your jaded palate by introducing a duel fought with butchers' knives by the light of lanterns. One genius subsists by murder, as another does by bigamy and adultery. Scott would have recoiled from the blood as well as from the ordure, he would have allowed neither to have defiled his noble page. He knew that there was no pretense for bringing before a reader what is merely horrible; that by doing so you only stimulate passions as low as licentiousness itself,— the passions which were stimulated by the gladiatorial shows in degraded Rome, which are stimulated by the bullfights in degraded Spain, which are stimulated among ourselves by exhibitions the attraction of which really consists in their imperiling human life. He knew that a novelist had no right even to introduce the terrible except for the purpose of exhibiting human heroism, developing character, awakening emotions which, when awakened, dignify and save from harm. It is want of genius and of knowledge of their craft that drives novelists to outrage humanity with horrors. Miss Austen can interest and even excite you as much with the little domestic adventures of Emma as some of her rivals can with a whole Newgate calendar of guilt and gore.

VII. The Lamp of Chivalry.— Of this briefly. Let the writer of fiction give us humanity in all its phases, the comic as well as the tragic, the ridiculous as well as the sublime; but let him not lower the standard of character or the aim of life. Shakespeare does not. We delight in his Falstaffs and his clowns as well as in his Hamlets and Othellos; but he never familiarizes us with what is base and mean. The noble and chivalrous always holds its place as the aim of true humanity in his ideal world. Per-

haps Dickens is not entirely free from blame in this respect; perhaps Pickwickianism has in some degree familiarized the generation of Englishmen who have been fed upon it with what is not chivalrous, to say the least, in conduct, as it unquestionably has with slang in conversation. But Scott, like Shakespeare, wherever the thread of his fiction may lead him, always keeps before himself and us the highest ideal which he knew, the ideal of a gentleman. If any one says there are narrow bounds wherein to confine fiction, I answer there has been room enough within them for the highest tragedy, the deepest pathos, the broadest humor, the widest range of character, the most moving incident that the world has ever enjoyed. There has been room within them for all the kings of pure and healthy fiction — for Homer, Shakespeare, Cervantes, Molière, Scott! "Farewell, Sir Walter," says Carlyle at the end of his essay, "farewell, Sir Walter, pride of all Scotchmen." Scotland has said farewell to her mortal son. But all humanity welcomes him as Scotland's noblest gift to her, and crowns him, as on this day, one of the heirs of immortality.

## THE ORIGIN AND CAUSES OF PROGRESS

(From an Address Delivered at Oxford)

THERE seems to be nothing in the fact of progress either degrading to human dignity or pampering to human pride. The assertion that history began in fetichism and cannibalism is made without a shadow of proof. Those states are assumed at a venture to have been the first, because they are seen to be the lowest; the possibility of their being not original states, but diseases, being left out of sight. As to fetichism, the first hunter or shepherd who swore to another and disappointed him not, though it were to his own hindrance, must have felt the supernatural sanction of duty, and the eternity of moral as contrasted with physical evil, and, therefore, he must implicitly have believed in the two great articles of natural religion — God and the immortality of the soul. It is mythology, of which fetichism is the lowest form, that has its root in nature. Religion has its root in man; and man can never have been without religion, however perverted his idea of God, and however degraded his worship may have been. As to cannibalism, it seems to be sometimes a frenzy of the warlike passions, sometimes a morbid

tendency engendered by the want, in certain islands, of animal food. At all events, it is most unlikely that the original food of man should have been that which is not only the most loathsome, but the most difficult to obtain, since he would have to overcome an animal as strong and as cunning as himself. Besides, how could the human race have multiplied if they had lived upon each other?

On the other hand, as progress does not imply a state worse than the brutes at the beginning, so it does not imply perfection in the end, though it is not for us to limit the degree of knowledge or excellence which it may have pleased the Creator to render attainable at last by man. This doctrine, in truth, checks our pride by putting each generation, ours among the number, in its true place. It teaches us that we are the heirs of the past, and that to that heritage we shall add a little, and but a little, before we bequeath it to the future; that we are not the last or the greatest birth of time; that all the ages have not wandered in search of truth, that we might find it pure and whole; that we must plant in the hope that others will reap the fruit; that we must hand on the torch — brighter, if we do our part — but that we must hand it on; and that no spasmodic effort will bring us in our span of life and labor to the yet far-off goal.

But, welcome or unwelcome, the progress of humanity down to the present time is a fact. Man has advanced in the arts of life, in the wealth which springs from them, in the numbers which they support, and with the increase of which the aggregate powers and sympathies of the race increase. He has advanced in knowledge, and still advances, and that in the accelerating ratio of his augmented knowledge added to his powers. So much is clear; but then it is said: "The progress is intellectual only, not moral; we have discoveries of the intellect increasing in number and value from age to age, whose authors are the proper and sole objects of the world's gratitude and love. We have no moral improvement; the moral nature of man remains the same from the beginning, with the same passions and affections, good and evil, which it is confidently added are always in equilibrium. The moral law is the same for all ages and nations; nothing has been added to the Decalogue." This theory is carried as far as it well can be when it is laid down, not only that the progress of humanity is a progress of the intellect alone, but that the progressive value of the intellect lies in skepticism or doubt,

the state of mind which suspends all action; and when it is further laid down that moral virtue, so far from causing the progress of humanity, sometimes impedes it, the proof of which is the mischief done in the world by good men who are bigots—as though bigots were good men.

That morality and man's moral nature remain the same throughout history is true; it is true also that morality and the moral nature remain the same throughout man's life, from his birth to his old age. But character does not remain the same; the character of a man is continually advancing through life, and, in like manner, the character of the race advances through history. The moral and spiritual experience of the man grows from age to age, as well as his knowledge, and produces a deeper and maturer character as it grows. Part of this experience is recorded in religious books, the writings of philosophers, essays, poetry, works of sentiment, tales—a class of literature which must seem useless and unmeaning to those who hold that our progress is one of science alone. Part of it is silently transmitted, with its increase, through the training which each generation gives to the next. We ask why the ancients thought and wrote so little about the beauties of nature. It certainly was not that they lived in a land less beautiful, or saw its beauties with eyes less keen than ours. But the love of natural beauties is not only in the eye; it requires a certain maturity of sentiment to call out the mute sympathy with which nature is charged for man, to lend their mystery to the forest and the sea, its pensiveness to evening, its moral to the year. When a modern, instead of writing modern poetry, imitates, however skillfully, the poetry of the Greeks, how great is the sacrifice of all that most touches our hearts, and yet how much that is beyond the range of Greek sentiment remains! Philanthropy is a Greek word, but how wide a circle of ideas, sentiments, affections, unknown to the Greeks, does its present meaning embrace! In natural religion itself the progress seems not less clear. Man's idea of God must rise as he sees more of him by reflecting on his own nature (in which the true proof of natural religion lies), and in those efforts of human virtue in other men which would be unaccountable if there were no God, and this world were all. More and more, too, from age to age, the ideas of the soul and of a future life rise in distinctness; man feels more and more that he is a traveler between the cradle and the grave, and that the great

fact of life is death, and the centre of human interest moves gradually toward the other world. Man would have perhaps been paralyzed in his early struggle with nature for subsistence had these deep thoughts then taken too much possession of his mind. His earliest and coarsest wants satisfied, he began to feel other wants, to think of himself and his own destinies, and to enter on a distinct spiritual life. Those at least began to do so who had leisure, power of mind, and cultivation enough to think, and the reach of whose intellects made them feel keenly the narrow limit of this life. Yet the spiritual life was confined to few, and even in those few it was not of a very earnest kind. The 'Phædo' is a graceful work of philosophic art rather than a very passionate effort to overcome the grave. The Greek, for the most part, rose lightly from the banquet of life to pass into that unknown land with whose mystery speculation had but dallied, and of which comedy had made a jest. The Roman lay down almost as lightly to rest after his course of public duty. But now, if Death could really regain his victory in the mind of man, hunger and philosophy together would hardly hold life in its course. The latest and most thoroughgoing school of materialism has found it necessary to provide something for man's spiritual nature, and has made a shadowy divinity out of the abstract being of humanity, and a shadowy immortality of the soul out of a figment that the dead are greater than the living. Lucretius felt no such need.

If it could be said that there was no progress in human character because the moral law and the moral nature of man remain the same in all ages, it might equally be said that there could be no variety in character because the moral law and our moral nature are the same in all persons. But the variety of characters which our hearts, bound to no one type, acknowledge as good, noble, beautiful, is infinite, and grows with the growing variety of human life. It ranges from the most rapt speculation to the most vigorous action, from the gentlest sentiment to the most iron public duty, from the lowliest flower in the poetry of Wordsworth to that grand failure, Milton's picture of the fallen Archangel, who lacks the great notes of evil, inasmuch as he is not mean or selfish, but is true to those who have fallen by him; for them braves a worse fate than the worst, and for them, amidst despair, wears hope upon his brow. The observance of the moral law is the basis and condition, as the common moral nature is

the rudiment, of all excellence in human character. But it is the basis and condition only; it is negative, whereas character is positive, and wins our reverence and affection because it is so. The Decalogue gives us no account of heroism or the emotions it excites; still less does it give us an account of that infinite variety of excellences and graces which is the beauty of history and life, and which, we cannot doubt, the great and ever-increasing variety of situations in history and life intended by the Creator to produce.

If the end and the key of history is the formation of character by effort, the end and key of history are the same with the end and key of the life of man. If the progress of the intellect is the essential part of history, then the harmony between man and history is at an end. Man does not rest in intellect as his end, not even in intellect of a far less dry and more comprehensive kind than that which the maintainers of the intellectual theory of history have in view. If all mankind were Hamlets it would scarcely be a happier world. Suppose intellect to be the end of man, and all moral effort, all moral beauty, even all poetry, all sentiment, must go for nothing; they are void, meaningless, and vain — an account of the matter which hardly corresponds with the meaning and fitness (not to assume design) which we see in every part of the physical world. Certainly, if we believe in a Creator, it is difficult to imagine him making such a world as this, with all its abysses of misery and crime, merely that some of his creatures might with infinite labor attain a modicum of knowledge which can be of use only in this world, and must come to nothing again when all is done. But if the formation of character by effort is the end, everything has a meaning, everything has a place. A certain degree of material well-being, for which man naturally exerts himself, is necessary to character, which is coarse and low where the life of man is beastlike, miserable, and short. Intellect and the activity of intellect enter (we need not here ask how) deeply into character. For the beauty of intellectual excellence the world forgives great weakness, though not vice; and all attempts to cast out intellect and reduce character to emotion, even religious emotion, have produced only a type which is useless to society, and which the healthy moral taste has always rejected. And certainly, if character is the end of history, and moral effort the necessary means to that end (as no other means of forming character is known to us), optimism

may, after all, not be so stupid as some philosophers suppose; and this world, which is plainly enough so arranged as to force man to the utmost possible amount of effort, may well be the best of all possible worlds.

We must pause before the question how deep the unity of humanity and the unity of history goes; how far those who, through all the ages, have shared in the long effort, with all its failures, errors, sufferings, will share in the ultimate result; how far those who have sown will have their part in the harvest, those who have planted in the fruit; how far the future of our race, as well as the past, is ours. That is a secret that lies behind the veil.

## THE SECRET BEYOND SCIENCE

(From an Address on the Study of History Delivered at Oxford)

WHAT is the sum of physical science? Compared with the comprehensible universe and with conceivable time, not to speak of infinity and eternity, it is the observation of a mere point, the experience of an instant. Are we warranted in founding anything upon such data, except that which we are obliged to found on them, the daily rules and processes necessary for the natural life of man? We call the discoveries of science sublime; and truly. But the sublimity belongs not to that which they reveal, but to that which they suggest. And that which they suggest is, that through this material glory and beauty, of which we see a little and imagine more, there speaks to us a being whose nature is akin to ours, and who has made our hearts capable of such converse. Astronomy has its practical uses, without which man's intellect would scarcely rouse itself to those speculations; but its greatest result is a revelation of immensity pervaded by one informing mind; and this revelation is made by astronomy only in the same sense in which the telescope reveals the stars to the eye of the astronomer. Science finds no law for the thoughts which, with her aid, are ministered to man by the starry skies. Science can explain the hues of sunset, but she cannot tell from what urns of pain and pleasure its pensiveness is poured. These things are felt by all men, felt the more in proportion as the mind is higher. They are a part of human nature; and why should they not be as sound a basis for philosophy

as any other part? But if they are, the solid wall of material law melts away, and through the whole order of the material world pours the influence, the personal influence, of a spirit corresponding to our own.

Again, is it true that the fixed or the unvarying is the last revelation of science? These risings in the scale of created beings, this gradual evolution of planetary systems from their centre, do they bespeak mere creative force? Do they not rather bespeak something which, for want of an adequate word, we must call creative effort, corresponing to the effort by which man raises himself and his estate? And where effort can be discovered, does not spirit reign again?

A creature whose sphere of vision is a speck, whose experience is a second, sees the pencil of Raphael moving over the canvas of the Transfiguration. It sees the pencil moving over its own speck, during its own second of existence, in one particular direction, and it concludes that the formula expressing that direction is the secret of the whole.

There is truth as well as vigor in the lines of Pope on the discoveries of Newton:—

> "Superior beings, when of late they saw
> A mortal man unfold all Nature's law,
> Admired such wisdom in an earthly shape,
> And showed a Newton as we show an ape."

If they could not show a Newton as we show an ape, or a Newton's discoveries as we show the feats of apish cunning, it was because Newton was not a mere intellectual power, but a moral being, laboring in the service of his kind, and because his discoveries were the reward, not of sagacity only, but of virtue. We can imagine a mere organ of vision so constructed by Omnipotence as to see at a glance infinitely more than could be discovered by all the Newtons, but the animal which possessed that organ would not be higher than the moral being.

Reason, no doubt, is our appointed guide to truth. The limits set to it by each dogmatist, at the point where it comes into conflict with his dogma, are human limits; its providential limits we can learn only by dutifully exerting it to the utmost. Yet reason must be impartial in the acceptance of data and in the demand of proof. Facts are not the less facts because they are not facts

of sense; materialism is not necessarily enlightenment; it is possible to be at once chimerical and gross.

We may venture, without any ingratitude to science as the source of material benefits and the training school of inductive reason, to doubt whether the great secret of the moral world is likely to be discovered in her laboratory, or to be revealed to those minds which have been imbued only with her thoughts, and trained in her processes alone. Some, indeed, among the men of science who have given us sweeping theories of the world, seem to be not only one-sided in their view of the facts, leaving out of sight the phenomena of our moral nature, but to want one of the two faculties necessary for sound investigation. They are acute observers, but bad reasoners. And science must not expect to be exempt from the rules of reasoning. We cannot give credit for evidence which does not exist, because if it existed it would be of a scientific kind; nor can we pass at a bound from slight and precarious premises to a tremendous conclusion, because the conclusion would annihilate the spiritual nature and annul the divine origin of man.

# SYDNEY SMITH

(1771–1845)

ALTHOUGH he made his greatest fame as an essayist and as the author of the 'Peter Plymley Letters,' Sydney Smith's greatest achievement was, undoubtedly, the speech at Taunton on October 12th, 1831, in which he created the immortal character of Mrs. Partington. If he never afterwards equaled that masterstroke of genius, it is equally true that it has never been equaled, or even approached, by any one else. The comparison of the feudal and privileged classes in their zealous resistance to progress, to the worthy housewife of Sidmouth, resisting the flood of 1824 with her mop, is unquestionably one of the great achievements of the human intellect, worth, as an example, all the volumes of passionate denunciation which have been spoken before or since. It was in this spirit that Sydney Smith combated wrong during his whole life, and few men of his generation did it more effectively. He was born at Woodford, England, June 3d, 1771, and educated for the Church. From 1798 to 1803 he lived at Edinburgh, where he was one of the founders and the first editor of the Edinburgh Review, to which for many years he remained a contributor. From 1804 to 1829 he was successively a lecturer on Moral Philosophy at the Royal Institution, a country clergyman in Yorkshire, and Prebendary of Bristol. In 1831 he became Canon of St. Paul, and but for his unflinching honesty and steadfast courage in opposing abuses, his talents might have won him the highest preferments of the Church. He died at London, February 22d, 1845.

## MRS. PARTINGTON IN POLITICS

(Delivered at Taunton on the Reform Bill—From the Taunton Courier of October 12th, 1831)

*Mr. Bailiff:—*

I HAVE spoken so often on this subject, that I am sure both you and the gentlemen here present will be obliged to me for saying but little, and that favor I am as willing to confer, as you can be to receive it. I feel most deeply the event which has taken place, because, by putting the two houses of

Parliament in collision with each other, it will impede the public business and diminish the public prosperity. I feel it as a churchman, because I cannot but blush to see so many dignitaries of the Church arrayed against the wishes and happiness of the people. I feel it more than all, because I believe it will sow the seeds of deadly hatred between the aristocracy and the great mass of the people. The loss of the bill I do not feel, and for the best of all possible reasons — because I have not the slightest idea that it is lost. I have no more doubt, before the expiration of the winter, that this bill will pass, than I have that the annual tax bills will pass, and greater certainty than this no man can have, for Franklin tells us there are but two things certain in this world — death and taxes. As for the possibility of the House of Lords preventing ere long a reform of Parliament, I hold it to be the most absurd notion that ever entered into human imagination. I do not mean to be disrespectful, but the attempt of the lords to stop the progress of reform reminds me very forcibly of the great storm of Sidmouth, and of the conduct of the excellent Mrs. Partington on that occasion. In the winter of 1824, there set in a great flood upon that town — the tide rose to an incredible height — the waves rushed in upon the houses, and everything was threatened with destruction. In the midst of this sublime and terrible storm, Dame Partington, who lived upon the beach, was seen at the door of her house with mop and pattens, trundling her mop, squeezing out the sea water, and vigorously pushing away the Atlantic Ocean. The Atlantic was roused. Mrs. Partington's spirit was up; but I need not tell you that the contest was unequal. The Atlantic Ocean beat Mrs. Partington. She was excellent at a slop or a puddle, but she should not have meddled with a tempest. Gentlemen, be at your ease — be quiet and steady. You will beat Mrs. Partington.

They tell you, gentlemen, in the debates by which we have been lately occupied, that the bill is not justified by experience. I do not think this true, but if it were true, nations are sometimes compelled to act without experience for their guide, and to trust to their own sagacity for the anticipation of consequences. The instances where this country has been compelled thus to act have been so eminently successful, that I see no cause for fear, even if we were acting in the manner imputed to us by our enemies. What precedents and what experience were there at the Reformation, when the country, with one unanimous effort, pushed

out the pope and his grasping and ambitious clergy? — What experience, when, at the Revolution, we drove away our ancient race of kings, and chose another family more congenial to our free principles? — And yet to those two events, contrary to experience, and unguided by precedents, we owe all our domestic happiness, and civil and religious freedom — and having got rid of corrupt priests and despotic kings, by our sense and our courage, are we now to be intimidated by the awful danger of extinguishing boroughmongers, and shaking from our necks the ignominious yoke which their baseness has imposed upon us? Go on, they say, as you have done for these hundred years last past. I answer, it is impossible — five hundred people now write and read where one hundred wrote and read fifty years ago. The iniquities and enormities of the borough system are now known to the meanest of the people. You have a different sort of men to deal with — you must change because the beings whom you govern are changed. After all, and to be short, I must say that it has always appeared to me to be the most absolute nonsense that we cannot be a great or a rich and happy nation without suffering ourselves to be bought and sold every five years like a pack of negro slaves. I hope I am not a very rash man, but I would launch boldly into this experiment without any fear of consequences, and I believe there is not a man here present who would not cheerfully embark with me. As to the enemies of the bill, who pretend to be reformers, I know them, I believe, better than you do, and I earnestly caution you against them. You will have no more of reform than they are compelled to grant — you will have no reform at all, if they can avoid it — you will be hurried into a war to turn your attention from reform. They do not understand you — they will not believe in the improvement you have made — they think the English of the present day are as the English of the times of Queen Anne or George I. They know no more of the present state of their own country than of the state of the Esquimaux Indians. Gentlemen, I view the ignorance of the present state of the country with the most serious concern, and I believe they will one day or another waken into conviction with horror and dismay. I will omit no means of rousing them to a sense of their danger; for this object I cheerfully sign the petition proposed by Doctor Kinglake, which I consider to be the wisest and most moderate of the two.

## THE RESULTS OF OPPRESSION

(From a Speech on Catholic Claims Delivered at a Meeting of Yorkshire Clergymen, April 11th, 1825)

WE PREACH to our congregations, sir, that a tree is known by its fruits. By the fruits it produces I will judge your system. What has it done for Ireland? New Zealand is emerging — Otaheite is emerging — Ireland is not emerging — she is still veiled in darkness — her children, safe under no law, live in the very shadow of death. Has your system of exclusion made Ireland rich? Has it made Ireland loyal? Has it made Ireland free? Has it made Ireland happy? How is the wealth of Ireland proved? Is it by the naked, idle, suffering savages, who are slumbering on the mud floors of their cabins? In what does the loyalty of Ireland consist? Is it in the eagerness with which they would range themselves under the hostile banner of any invader for your destruction and for your distress? Is it liberty when men breathe and move among the bayonets of English soldiers? Is their happiness and their history anything but such a tissue of murders, burnings, hanging, famine, and disease, as never existed before in the annals of the world? This is the system which, I am sure, with very different intentions, and different views of its effects, you are met this day to uphold. These are the dreadful consequences which those laws your petition prays may be continued have produced upon Ireland. From the principles of that system, from the cruelty of those laws, I turn, and turn with the homage of my whole heart, to that memorable proclamation which the head of our Church — the present monarch of these realms — has lately made to his hereditary dominions of Hanover — "That no man should be subjected to civil incapacities on account of religious opinions." Sir, there have been many memorable things done in this reign. Hostile armies have been destroyed; fleets have been captured; formidable combinations have been broken to pieces — but this sentiment, in the mouth of a king, deserves, more than all glories and victories, the notice of that historian who is destined to tell to future ages the deeds of the English people. I hope he will lavish upon it every gem which glitters in the cabinet of genius, and so uphold it to the world that it will be remembered when Waterloo is forgotten

and when the fall of Paris is blotted out from the memory of man. Great as it is, sir, this is not the only pleasure I have received in these latter days. I have seen within these few weeks a degree of wisdom in our mercantile laws, such superiority to vulgar prejudice, views so just and so profound, that it seemed to me as if I was reading the works of a speculative economist, rather than the improvement of a practical politician agreed to by a legislative assembly, and upon the eve of being carried into execution for the benefit of a great people. Let who will be their master, I honor and praise the ministers who have learned such a lesson. I rejoice that I have lived to see such an improvement in English affairs — that the stubborn resistance to all improvement — the contempt of all scientific reasoning, and the rigid adhesion to every stupid error which so long characterized the proceedings of this country, are fast giving way to better things, under better men, placed in better circumstances.

I confess it is not without severe pain that, in the midst of all this expansion and improvement, I perceive that in our profession we are still calling for the same exclusion — still asking that the same fetters may be riveted on our fellow-creatures — still mistaking what constitutes the weakness and misfortune of the church, for that which contributes to its glory, its dignity, and its strength. Sir, there are two petitions at this moment in this house, against two of the wisest and best measures which ever came into the British Parliament, against the impending Corn Law and against the Catholic Emancipation — the one bill intended to increase the comforts, and the other to allay the bad passions of man. Sir, I am not in a situation of life to do much good, but I will take care that I will not willingly do any evil. The wealth of the Riding should not tempt me to petition against either of those bills. With the Corn Bill, I have nothing to do at this time. Of the Catholic Emancipation Bill, I shall say that it will be the foundation stone of a lasting religious peace; that it will give to Ireland not all that it wants, but what it most wants, and without which no other boon will be of any avail.

When this bill passes, it will be a signal to all the religious sects of that unhappy country to lay aside their mutual hatred, and to live in peace, as equal men should live under equal law — when this bill passes, the Orange flag will fall — when this bill passes, the Green flag of the rebel will fall — when this bill

passes, no other flag will fly in the land of Erin than that flag which blends the lion with the harp — that flag which, wherever it does fly, is the sign of freedom and of joy — the only banner in Europe which floats over a limited king and a free people.

## REFORM AND STOMACH TROUBLES

(From a Speech on the Reform Bill, Delivered in Taunton)

*Mr. Bailiff:* —

THIS is the greatest measure which has ever been before Parliament in my time, and the most pregnant with good or evil to the country; and though I seldom meddle with political meetings, I could not reconcile it to my conscience to be absent from this.

Every year, for this half century, the question of reform has been pressing upon us, till it has swelled up at last into this great and awful combination; so that almost every city and every borough in England are at this moment assembled for the same purpose, and are doing the same thing we are doing. It damps the ostentation of argument, and mitigates the pain of doubt, to believe (as I believe) that the measure is inevitable; the consequences may be good or bad, but done it must be; I defy the most determined enemy of popular influence, either now or a little time from now, to prevent a reform in Parliament. Some years ago by timely concession it might have been prevented. If members had been granted to Birmingham, Leeds, and Manchester, and other great towns, as opportunities occurred, a spirit of conciliation would have been evinced, and the people might have been satisfied with a reform, which though remote would have been gradual; but with the customary blindness and insolence of human beings, the day of adversity was forgotten, the rapid improvement of the people was not noticed; the object of a certain class of politicians was to please the court and to gratify their own arrogance by treating every attempt to expand the representation, and to increase the popular influence with every species of contempt and obloquy: the golden opportunity was lost; and now proud lips must swallow bitter potions.

The arguments and the practices (as I remember to have heard Mr. Huskisson say, which die very well twenty years ago,

will not do now. The people read too much, think too much, see too many newspapers, hear too many speeches, have their eyes too intensely fixed upon political events. But if it was possible to put off parliamentary reform a week ago, is it possible now? When a monarch (whose amiable and popular manners have, I verily believe, saved us from a revolution) approves the measure — when a minister of exalted character plans and fashions it — when a cabinet of such varied talent and disposition protects it — when such a body of the aristocracy vote for it — when the hundred-horse power of the press is laboring for it; — who does not know, after this (whatever be the decision of the present Parliament), that the measure is virtually carried — and that all the struggle between such annunciation of such a plan and its completion is tumult, disorder, disaffection, and (it may be) political ruin?

An honorable member of the honorable house, much connected with this town, and once its representative, seems to be amazingly surprised, and equally dissatisfied, at this combination of king, ministers, nobles, and people, against his opinion: — like the gentleman who came home from serving on a jury very much disconcerted, and complaining he had met with eleven of the most obstinate people he had ever seen in his life, whom he found it absolutely impossible by the strongest arguments to bring over to his way of thinking.

They tell you, gentlemen, that you have grown rich and powerful with these rotten boroughs, and that it would be madness to part with them, or to alter a constitution which had produced such happy effects. There happens, gentlemen, to live near my parsonage a laboring man of very superior character and understanding to his fellow-laborers; and who has made such good use of that superiority that he has saved what is (for his station in life) a very considerable sum of money, and if his existence is extended to the common period he will die rich. It happens, however, that he is (and long has been) troubled with violent stomachic pains, for which he has hitherto obtained no relief, and which really are the bane and torment of his life. Now, if my excellent laborer were to send for a physician and to consult him respecting this malady, would it not be very singular language if our doctor were to say to him: "My good friend, you surely will not be so rash as to attempt to get rid of these pains in your stomach. Have you not grown rich with these pains in your

stomach? have you not risen under them from poverty to prosperity? has not your situation since you were first attacked been improving every year? You surely will not be so foolish and so indiscreet as to part with the pains in your stomach?" Why, what would be the answer of the rustic to this nonsensical monition? "Monster of rhubarb! [he would say] I am not rich in consequence of the pains in my stomach, but in spite of the pains in my stomach; and I should have been ten times richer, and fifty times happier, if I had never had any pains in my stomach at all." Gentlemen, these rotten boroughs are your pains in the stomach—and you would have been a much richer and greater people if you had never had them at all. Your wealth and your power have been owing not to the debased and corrupted parts of the House of Commons, but to the many independent and honorable members whom it has always contained within its walls. If there had been a few more of these very valuable members for close boroughs we should, I verily believe, have been by this time about as free as Denmark, Sweden, or the Germanized States of Italy.

They tell you of the few men of name and character who have sat for boroughs; but nothing is said of those mean and menial men who are sent down every day by their aristocratic masters to continue unjust and unnecessary wars, to prevent inquiring into profligate expenditure, to take money out of your pockets, or to do any other bad or base thing which the minister of the day may require at their unclean hands. What mischief, it is asked, have these boroughs done? I believe there is not a day of your lives in which you are not suffering in all the taxed commodities of life from the accumulation of bad votes of bad men. But, Mr. Bailiff, if this were otherwise, if it really were a great political invention, that cities of one hundred thousand men should have no representatives because those representatives were wanted for political ditches, political walls, and political parks; that the people should be bought and sold like any other commodity; that a retired merchant should be able to go into the market and buy ten shares in the government of twenty millions of his fellow-subjects; yet can such asseverations be made openly before the people? Wise men, men conversant with human affairs, may whisper such theories to each other in retirement; but can the people ever be taught that it is right they should be bought and sold? Can the vehement and eloquent democrats be

met with such arguments and theories? Can the doubts of honest and limited men be met by such arguments and theories? The moment such a Government is looked at by all the people, it is lost. It is impossible to explain, defend, and recommend it to the mass of mankind. And true enough it is, that as often as misfortune threatens us at home, or imitation excites us from abroad, political reform is clamored for by the people — there it stands and ever will stand, in the apprehension of the multitude — reform, the cure of every evil — corruption, the source of every misfortune — famine, defeat, decayed trade, depressed agriculture, will all lapse into the question of reform. Till that question be set at rest (and it may be set at rest), all will be disaffection, tumult, and perhaps (which God avert!) destruction.

But democrats and agitators (and democrats and agitators there are in the world) will not be contented with this reform. Perhaps not, sir; I never hope to content men whose game is never to be contented — but if they are not contented I am sure their discontent will then comparatively be of little importance. I am afraid of them now; I have no arguments to answer them: but I shall not be afraid of them after this bill, and would tell them boldly, in the middle of their mobs, that there was no longer cause for agitation and excitement, and that they were intending wickedly to the people. You may depend upon it such a measure would destroy their trade, as the repeal of duties would destroy the trade of the smuggler; their functions would be carried on faintly, and with little profit; you would soon feel that your position was stable, solid, and safe.

All would be well, it is urged, if they would but let the people alone. But what chance is there, I demand, of these wise politicians, that the people will ever be let alone; that the orator will lay down his craft, and the demagogue forget his cunning? If many things were let alone, which never will be let alone, the aspect of human affairs would be a little varied. If the winds would let the waves alone, there would be no storms. If gentlemen would let ladies alone, there would be no unhappy marriages and deserted damsels. If persons who can reason no better than this would leave speaking alone, the school of eloquence might be improved. I have little hopes, however, of witnessing any of these acts of forbearance, particularly the last, and so we must (however foolish it may appear) proceed to make laws for a people who, we are sure, will not be let alone.

We might really imagine, from the objections made to the plan of reform, that the great mass of Englishmen were madmen, robbers, and murderers. The kingly power is to be destroyed, the House of Lords is to be annihilated, the Church is to be ruined, estates are to be confiscated. I am quite at a loss to find in these perpetrators of crimes — in this mass of pillagers and lunatics — the steady and respectable tradesmen and farmers, who will have votes to confer, and the steady and respectable country gentlemen, who will probably have votes to receive; — it may be true of the tradesmen of Mauritania, it may be just of the country gentleman of Fez — it is anything but true of the English people. The English are a tranquil, phlegmatic, money-loving, money-getting people, who want to be quiet — and would be quiet if they were not surrounded by evils of such magnitude that it would be baseness aud pusillanimity not to oppose to them the strongest constitutional resistance.

Then it is said that there is to be a lack of talent in the new Parliament: it is to be composed of ordinary and inferior persons, who will bring the government of the country into contempt. But the best of all talents, gentlemen, is to conduct our affairs honestly, diligently, and economically — and this talent will, I am sure, abound as much in the new Parliament as in many previous parliaments. Parliament is not a school for rhetoric and declamation, where a stranger would go to hear a speech, as he would go to the opera to hear a song; but if it were otherwise — if eloquence be a necessary ornament of, and an indispensable adjunct to, popular assemblies — can it ever be absent from popular assemblies? I have always found that all things moral or physical grow in the soil best suited for them. Show me a deep and tenacious earth — and I am sure the oak will spring up in it. In a low and damp soil I am equally certain of the alder and the willow. Gentlemen, the free Parliament of a free people is the native soil of eloquence — and in that soil will it ever flourish and abound — there it will produce those intellectual effects which drive before them whole tribes and nations of the human race, and settle the destinies of man. And, gentlemen, if a few persons of a less elegant and aristocratic description were to become members of the House of Commons, where would be the evil? They would probably understand the common people a great deal better, and in this way the feelings and interests of all classes of people would be more fully represented. The House of Commons

thus organized will express more faithfully the opinions of the people.

The people are sometimes, it is urged, grossly mistaken; but are kings never mistaken? Are the higher orders never mistaken? — never willfully corrupted by their own interests? The people have at least this superiority, that they always intend to do what is right.

The argument of fear is very easily disposed of: he who is afraid of a knock on the head or a cut on the cheek is a coward; he who is afraid of entailing greater evils on the country by refusing the remedy than by applying it, and who acts in pursuance of that conviction, is a wise and prudent man — nothing can be more different than personal and political fear; it is the artifice of our opponents to confound them together.

The right of disfranchisement, gentlemen, must exist somewhere, and where but in Parliament? If not, how was the Scotch union, how was the Irish union, effected? The Duke of Wellington's administration disfranchised at one blow two hundred thousand Irish voters — for no fault of theirs, and for no other reason than the best of all reasons, that public expediency required it. These very same politicians are now looking in an agony of terror at the disfranchisement of corporations containing twenty or thirty persons, sold to their representatives, who are themselves, perhaps, sold to the government; and to put an end to these enormous abuses is called corporation robbery, and there are some persons wild enough to talk of compensation. This principle of compensation you will consider perhaps in the following instance to have been carried as far as sound discretion permits. When I was a young man, the place in England I remember as most notorious for highwaymen and their exploits was Finchley Common, near the metropolis; but Finchley Common, gentlemen, in the progress of improvement, came to be inclosed, and the highwaymen lost by these means the opportunity of exercising their gallant vocation. I remember a friend of mine proposed to draw up for them a petition to the House of Commons for compensation, which ran in this manner: "We, your loyal highwaymen of Finchley Common, and its neighborhood, having, at great expense, laid in a stock of blunderbusses, pistols, and other instruments for plundering the public, and finding ourselves impeded in the exercise of our calling by the said inclosure of the said Common of Finchley, humbly petition your honorable house will be pleased

to assign to us such compensation as your honorable house in its wisdom and justice may think fit." Gentlemen, I must leave the application to you.

An honorable baronet says, if Parliament be dissolved, I will go to my borough with the bill in my hand, and will say: "I know of no crime you have committed, I found nothing proved against you: I voted against the bill, and am come to fling myself upon your kindness, with the hope that my conduct will be approved, and that you will return me again to Parliament." That honorable baronet may, perhaps, receive from his borough an answer he little expects: "We are above being bribed by such a childish and unworthy artifice; we do not choose to consult our own interest at the expense of the general peace and happiness of the country; we are thoroughly convinced a reform ought to take place; we are very willing to sacrifice a privilege we ought never to have possessed to the good of the community, and we will return no one to Parliament who is not deeply impressed with the same feeling." This, I hope, is the answer that gentleman will receive, and this, I hope, will be the noble and generous feeling of every borough in England.

The greater part of human improvements, gentlemen, I am sorry to say, are made after war, tumult, bloodshed, and civil commotion: mankind seem to object to every species of gratuitous happiness, and to consider every advantage as too cheap, which is not purchased by some calamity. I shall esteem it as a singular act of God's Providence, if this great nation, guided by these warnings of history, not waiting till tumult for reform, nor trusting reform to the rude hands of the lowest of the people, shall amend their decayed institutions at a period when they are ruled by a popular monarch, guided by an upright minister, and blest with profound peace.

## "WOUNDS, SHRIEKS, AND TEARS" IN GOVERNMENT

I CANNOT describe the horror and disgust which I felt at hearing Mr. Perceval call upon the then Ministry for measures of vigor in Ireland. If I lived at Hampstead upon stewed meats and claret,—if I walked to church every Sunday, before eleven young gentlemen of my own begetting, with their faces washed, and their hair pleasingly combed,—if the Almighty had

blessed me with every earthly comfort,—how awfully would I pause before I sent for the flame and the sword over the cabins of the poor, brave, generous, open-hearted peasants of Ireland!

How easy it is to shed human blood; how easy it is to persuade ourselves that it is our duty to do so, and that the decision has cost us a severe struggle; how much, in all ages, have wounds, and shrieks, and tears been the cheap and vulgar resources of the rulers of mankind; how difficult and how noble it is to govern in kindness, and to found an empire upon the everlasting basis of justice and affection! But what do men call vigor? To let loose hussars, and to bring up artillery, to govern with lighted matches, and to cut, and push, and prime,—I call this not vigor, but the sloth of cruelty and ignorance. The vigor I love consists in finding out wherein subjects are aggrieved, in relieving them, in studying the temper and genius of a people, in consulting their prejudices, in selecting proper persons to lead and manage them, in the laborious, watchful, and difficult task of increasing public happiness, by allaying each particular discontent. In this way only will Ireland ever be subdued. But this, in the eyes of Mr. Perceval, is imbecility and meanness;—houses are not broken open, women are not insulted, the people seem all to be happy,—they are not ridden over by horses, and cut by whips. Do you call this vigor? Is this government?

# SOCRATES

(*c.* 470–399 B. C.)

WHETHER the address of Socrates to his judges after they had condemned him to death was reported by Plato exactly as it was delivered is a question on which the critics are not agreed. It is probable, however, that the speech as we have it in Plato's 'Apology' represents both the mind of Socrates and his mode of expression. In spite of its use of illustrations depending for their force on faith in a mythology now effete, it remains one of the most admirable productions of the human intellect. It is unlike every other speech of its class, because of its absolute calmness, the blending of quiet humor with its seriousness, and the almost superhuman superiority Socrates shows in it to the judges whom he was addressing. He speaks to them as if they were the little children of his own family, whom in all kindness he was giving a lesson in the conduct of life. This spirit is everywhere manifest in the speech, but especially in the opening sentence of its peroration: "You, therefore, O my judges, ought to entertain good hopes with respect to death and to meditate on this one truth: that to a good man nothing is evil, neither while living nor when dead; nor are his concerns neglected by the gods."

Socrates was born at Athens about 470 B. C. His father was Sophroniscus, a sculptor, and his mother, Phænarete, was a midwife. In his early life he himself was a sculptor, and it is said that for many years a statue carved by him stood on the approach to the Acropolis, but he finally gave up all other employment to become a public teacher. Standing on the streets and in the market places he talked with all comers, avoiding positive assertion on his own part, and asking questions the answers to which, as he skillfully elicited them, involved those who spoke with him in the contradiction of their own errors. He himself fully recognized that this did not tend to increase his popularity with many, and he believed that it led a cabal, headed by Melitus the poet, Anytus the tanner, and Lycon the orator, to conspire against him. He was accused, however, "firstly, of denying the gods recognized by the State and introducing new divinities; and, secondly, of corrupting the young." Instead of defending himself against the charge, Socrates treated his judges with the same calm superiority, the same good-natured exhortation to improvement

which characterizes the speech after the death sentence was pronounced. When he was found guilty and Melitus moved the death sentence it was the privilege of Socrates, as a defendant, to move a lighter penalty, but instead of doing so he proposed that as a reward of his services to the State he should be maintained at public cost in the Prytaneum. His complete indifference to the action of his judges so exasperated them that they condemned him to drink hemlock—which he did accordingly with unquestionable cheerfulness about thirty days after the trial. Occasionally there appears on earth some one who actually realizes in all the essentials of his life, ideas of his own immortal existence and facts of his own reality as an incarnate soul, which, to most men, are a tradition or a myth. Such a one was Socrates. What others said of virtue and immortality by rote was to him the reality and the only reality of life. It freed him from all fear of his judges and from all malice against them. It enabled him to speak with perfect good-nature at his trial and to die, not heroically, but good-humoredly. Of his eloquence as a teacher, Alcibiades says in Plato's 'Symposium': "When I listen to him my heart beats with a more than Corybantic excitement; he has only to speak, and my tears flow. Orators such as Pericles never moved me in this way,—never roused my soul to the thought of my servile condition; but this Marsyas makes me think that life is not worth living so long as I am what I am." W. V. B.

## ADDRESS TO HIS JUDGES AFTER THEY HAD CONDEMNED HIM

(Delivered at Athens, 399 B. C.)

THAT I should not be grieved, O Athenians! at what has happened—namely, that you have condemned me—as well many other circumstances concur in bringing to pass; and, moreover, this, that what has happened has not happened contrary to my expectation; but I much rather wonder at the number of votes on either side. For I did not expect that I should be condemned by so small a number, but by a large majority; but now, as it seems, if only three more votes had changed sides, I should have been acquitted. So far as Melitus is concerned, as it appears to me, I have been already acquitted; and not only have I been acquitted, but it is clear to every one that had not Anytus and Lycon come forward to accuse me, he would have been fined a thousand drachmas for not having obtained a fifth part of the votes.

The man, then, awards me the penalty of death. Well. But what shall I, on my part, O Athenians! award myself? Is it not clear that it will be such as I deserve? What, then, is that? Do I deserve to suffer, or to pay a fine? for that I have purposely during my life not remained quiet, but neglecting what most men seek after, money-making, domestic concerns, military command, popular oratory, and, moreover, all the magistracies, conspiracies, and cabals that are met with in the city, thinking that I was in reality too upright a man to be safe if I took part in such things, I therefore did not apply myself to those pursuits, by attending to which I should have been of no service either to you or to myself; but in order to confer the greatest benefit on each of you privately, as I affirm, I thereupon applied myself to that object, endeavoring to persuade every one of you not to take any care of his own affairs before he had taken care of himself, in what way he may become the best and wisest, nor of the affairs of the city before he took care of the city itself; and that he should attend to other things in the same manner. What treatment, then, do I deserve, seeing I am such a man? Some reward, O Athenians! if, at least, I am to be estimated according to my real deserts; and, moreover, such a reward as would be suitable to me. What, then, is suitable to a poor man, a benefactor, and who has need of leisure in order to give you good advice? There is nothing so suitable, O Athenians! as that such a man should be maintained in the Prytaneum, and this much more than if one of you had been victorious at the Olympic games in a horse race, or in the two or four horsed chariot race: for such a one makes you appear to be happy, but I, to be so; and he does not need support, but I do. If, therefore, I must award a sentence according to my just deserts, I award this, maintenance in the Prytaneum.

Perhaps, however, in speaking to you thus, I appear to you to speak in the same presumptuous manner as I did respecting commiseration and entreaties; but such is not the case, O Athenians! it is rather this: I am persuaded that I never designedly injured any man, though I cannot persuade you of this, for we have conversed with each other but for a short time. For if there were the same law with you as with other men, that in capital cases the trial should last not only one day, but many, I think you would be persuaded; but it is not easy in a short time to do away with great calumnies. Being persuaded, then, that I

have injured no one, I am far from intending to injure myself, and of pronouncing against myself that I am deserving of punishment and from awarding myself anything of the kind. Through fear of what? lest I should suffer that which Melitus awards me, of which I say I know not whether it be good or evil? Instead of this, shall I choose what I well know to be evil, and award that? Shall I choose imprisonment? And why should I live in prison, a slave to the established magistracy, the Eleven? Shall I choose a fine, and to be imprisoned until I have paid it? But this is the same as that which I just now mentioned, for I have not money to pay it. Shall I, then, award myself exile? For perhaps you would consent to this award. I should, indeed, be very fond of life, O Athenians! if I were so devoid of reason as not to be able to reflect that you, who are my fellow-citizens, have been unable to endure my manner of life and discourses, but they have become so burdensome and odious to you that you now seek to be rid of them: others, however, will easily bear them. Far from it, O Athenians! A fine life it would be for me at my age to go out wandering, and driven from city to city, and so to live. For I well know that, wherever I may go, the youth will listen to me when I speak, as they do here. And if I repulse them, they will themselves drive me out, persuading the elders; and if I do not repulse them, their fathers and kindred will banish me on their account.

Perhaps, however, some one will say: Can you not, Socrates, when you have gone from us, live a silent and quiet life? This is the most difficult thing of all to persuade some of you. For if I say that that would be to disobey the Deity, and that, therefore, it is impossible for me to live quietly, you would not believe me, thinking I spoke ironically. If, on the other hand, I say that this is the greatest good to man, to discourse daily on virtue, and other things which you have heard me discussing, examining both myself and others, but that a life without investigation is not worth living for, still less would you believe me if I said this. Such, however, is the case, as I affirm, O Athenians! though it is not easy to persuade you. And at the same time I am not accustomed to think myself deserving of any ill. If, indeed, I were rich, I would amerce myself in such a sum as I should be able to pay; for then I should have suffered no harm, but now — for I cannot, unless you are willing to amerce me in such a sum as I am able to pay. But perhaps I could pay you

a mina of silver: in that sum, then, I amerce myself. But Plato here, O Athenians! and Crito, Critobulus, and Apollodorus bid me amerce myself in thirty minæ, and they offer to be sureties. I amerce myself, then, to you in that sum; and they will be sufficient sureties for the money.

[The judges now proceeded to pass the sentence, and condemned Socrates to death; whereupon he continued:—]

For the sake of no long space of time, O Athenians! you will incur the character and reproach at the hands of those who wish to defame the city, of having put that wise man, Socrates, to death. For those who wish to defame you will assert that I am wise, though I am not. If, then, you had waited for a short time, this would have happened of its own accord; for observe my age, that it is far advanced in life, and near death. But I say this not to you all, but to those only who have condemned me to die. And I say this, too, to the same persons. Perhaps you think, O Athenians! that I have been convicted through the want of arguments, by which I might have persuaded you, had I thought it right to do and say anything, so that I might escape punishment. Far otherwise: I have been convicted through want indeed, yet not of arguments, but of audacity and impudence, and of the inclination to say such things to you as would have been most agreeable for you to hear, had I lamented and bewailed and done and said many other things unworthy of me, as I affirm, but such as you are accustomed to hear from others. But neither did I then think that I ought, for the sake of avoiding danger, to do anything unworthy of a freeman, nor do I now repent of having so defended myself; but I should much rather choose to die, having so defended myself, than to live in that way. For neither in a trial nor in battle is it right that I or any one else should employ every possible means whereby he may avoid death; for in battle it is frequently evident that a man might escape death by laying down his arms, and throwing himself on the mercy of his pursuers. And there are many other devices in every danger, by which to avoid death, if a man dares to do and say everything. But this is not difficult, O Athenians! to escape death; but it is much more difficult to avoid depravity, for it runs swifter than death. And now I, being slow and aged, am overtaken by the slower of the two; but my accusers, being strong and active, have been overtaken by the

swifter, wickedness. And now I depart, condemned by you to death; but they condemned by truth, as guilty of iniquity and injustice: and I abide my sentence, and so do they. These things, perhaps, ought so to be, and I think that they are for the best.

In the next place, I desire to predict to you who have condemned me, what will be your fate; for I am now in that condition in which men most frequently prophesy,—namely, when they are about to die. I say, then, to you, O Athenians! who have condemned me to death, that immediately after my death a punishment will overtake you, far more severe, by Jupiter! than that which you have inflicted on me. For you have done this, thinking you should be freed from the necessity of giving an account of your lives. The very contrary, however, as I affirm, will happen to you. Your accusers will be more numerous, whom I have now restrained, though you did not perceive it; and they will be more severe, inasmuch as they are younger, and you will be more indignant. For, if you think that by putting men to death you will restrain any one from upbraiding you because you do not live well, you are much mistaken; for this method of escape is neither possible nor honorable; but that other is most honorable and most easy, not to put a check upon others, but for a man to take heed to himself how he may be most perfect. Having predicted thus much to those of you who have condemned me, I take my leave of you.

But with you who have voted for my acquittal, I would gladly hold converse on what has now taken place, while the magistrates are busy, and I am not yet carried to the place where I must die. Stay with me, then, so long, O Athenians! for nothing hinders our conversing with each other while we are permitted to do so; for I wish to make known to you, as being my friends, the meaning of that which has just now befallen me. To me, then, O my judges! and in calling you judges I call you rightly, —a strange thing has happened. For the wonted prophetic voice of my guardian deity on every former occasion, even in the most trifling affairs, opposed me if I was about to do anything wrong; but now that has befallen me which ye yourselves behold, and which any one would think, and which is supposed to be the extremity of evil; yet neither when I departed from home in the morning did the warning of the god oppose me, nor when I came up here to the place of trial, nor in my address

when I was about to say anything; yet on other occasions it has frequently restrained me in the midst of speaking. But now it has never, throughout this proceeding, opposed me, either in what I did or said. What, then, do I suppose to be the cause of this? I will tell you: what has befallen me appears to be a blessing; and it is impossible that we think rightly who suppose that death is an evil. A great proof of this to me is the fact that it is impossible but that the accustomed signal should have opposed me, unless I had been about to meet with some good.

Moreover, we may hence conclude that there is great hope that death is a blessing. For to die is one of two things: for either the dead may be annihilated, and have no sensation of anything whatever; or, as it is said, there are a certain change and passage of the soul from one place to another. And if it is a privation of all sensation, as it were a sleep in which the sleeper has no dream, death would be a wonderful gain. For I think that if any one, having selected a night in which he slept so soundly as not to have had a dream, and having compared this night with all the other nights and days of his life, should be required, on consideration, to say how many days and nights he had passed better and more pleasantly than this night throughout his life, I think that, not only a private person, but even the great king himself, would find them easy to number, in comparison with other days and nights. If, therefore, death is a thing of this kind, I say it is a gain; for thus all futurity appears to be nothing more than one night. But if, on the other hand, death is a removal from hence to another place, and what is said be true, that all the dead are there, what greater blessing can there be than this, my judges? For if, on arriving at Hades, released from these who pretend to be judges, one shall find those who are true judges, and who are said to judge there, Minos and Rhadamanthus, Æacus and Triptolemus, and such others of the demigods as were just during their own lives, would this be a sad removal? At what price would you not estimate a conference with Orpheus and Musæus, Hesiod and Homer? I, indeed, should be willing to die often, if this be true. For to me the sojourn there would be admirable, when I should meet with Palamedes, and Ajax, son of Telamon, and any other of the ancients who have died by an unjust sentence. The comparing my sufferings with theirs would, I think, be no unpleasing occupation. But the greatest pleasure would be to spend my time in questioning and examining the

people there as I have done those here, and discovering who among them is wise, and who fancies himself to be so, but is not. At what price, my judges, would not any one estimate the opportunity of questioning him who led that mighty army against Troy, or Ulysses, or Sisyphus, or ten thousand others whom one might mention, both men and women — with whom to converse and associate, and to question them, would be an inconceivable happiness? Surely for that the judges there do not condemn to death; for in other respects those who live there are more happy than those who are here, and are henceforth immortal, if, at least, what is said be true.

You, therefore, O my judges! ought to entertain good hopes with respect to death, and to meditate on this one truth, that to a good man nothing is evil, neither while living nor when dead, nor are his concerns neglected by the gods. And what has befallen me is not the effect of chance; but this is clear to me, that now to die and be freed from my cares is better for me. On this account the warning in no way turned me aside; and I bear no resentment toward those who condemned me, or against my accusers, although they did not condemn and accuse me with this intention, but thinking to injure me: in this they deserve to be blamed.

Thus much, however, I beg of them. Punish my sons when they grow up, O judges! paining them, as I have pained you, if they appear to you to care for riches or anything else before virtue; and if they think themselves to be something when they are nothing, reproach them as I have done you, for not attending to what they ought, and for conceiving themselves to be something when they are worth nothing. If ye do this, both I and my sons shall have met with just treatment at your hands.

But it is now time to depart — for me to die, for you to live. But which of us is going to a better state is unknown to every one but God.

# CHARLES HADDON SPURGEON

(1834–1892)

REVEREND CHARLES H. SPURGEON of the English Baptist Church was one of the most popular pulpit orators of his generation. He was born at Kelvedon, England, June 19th, 1834, and began life as usher in a school at Cambridge. This place he retained when, in 1851, he became pastor of the Baptist Church in the neighboring village of Waterbeach. In 1853 he removed to London where he soon became celebrated; his sermons, lectures, and such books as 'John Ploughman's Talk' being published and republished all over the English-speaking world. As he increased in influence, he used it in founding an orphanage, almshouses, schools, and a pastor's college. He died January 31st, 1892, but the popularity of his published sermons seems rather to have increased than diminished. The reader will probably be interested in comparing the views of future punishment he so eloquently expresses with the related views of Jonathan Edwards and the Venerable Bede in other volumes of this collection.

## EVERLASTING OXYDIZATION

(From a Sermon Delivered in London on Acts xxiv. 15)

You who are sensual and devilish do not care about your souls being punished, because you never think about your souls; but if I tell you of bodily punishment you will think of it far more. Christ may have said that the soul should be punished; but he far more frequently described the body in misery in order to impress his hearers; for he knew that they were sensual and devilish, and that nothing that did not affect the body would touch them in the least. "We must all appear before the judgment seat of Christ, to receive the things done in the body, according to what we have done, whether it be good or evil."

But this is not the only text to prove the doctrine; I will give you a better one, Matthew v. 29: "If thy right eye offend thee, pluck it out and cast it from thee; for it is profitable for thee that one of thy members should perish, and not that thy whole

shall be together, each brimful of pain, thy soul sweating in its inmost pore drops of blood, and thy body from head to foot, suffused with agony; conscience, judgment, memory, all tortured; but more, thy head tormented with racking pains, thine eyes starting from their sockets with sights of blood and woe; thine ears tormented with

> "Sullen moans and hollow groans,
> And shrieks of tortured ghosts."

Thine heart beating high with fever; thy pulse rattling at an enormous rate in agony; thy limbs cracking like the martyrs on the fire, and yet unburnt; thyself, put in a vessel of hot oil, pained, yet coming out undestroyed; all thy veins becoming a road for the hot feet of pain to travel on; every nerve a string on which the devil shall ever play his diabolical tune of Hell's Unutterable Lament; thy soul forever and ever aching, and thy body palpitating in unison with thy soul. Fictions, sir? Again, I say, they are no fictions, and as God liveth, but solid stern truth. If God be true, and this Bible be true, what I have said is the truth, and you will find it one day to be so.

But now I must have a little reasoning with the ungodly on one or two points. First, I will reason with such of you as are very proud of your comely bodies, and array yourselves in goodly ornaments, and make yourselves glorious in your apparel. There are some of you who have no time for prayer, but you have time enough for your toilet; you have no time for the prayer-meeting, but you have time enough to be brushing your hair to all eternity; you have no time to bend your knee, but plenty of time to make yourselves to look smart and grand. Ah! fine lady, thou who takest care of thy goodly-fashioned face, remember what was said by one of old when he held up the skull:—

> "Tell her, though she paint herself an inch thick,
> To this complexion she must come at last."

And something more than that: that fair face shall be scarred with the claws of fiends, and that fine body shall be only the medium of torment. Ah! dress thyself, proud gentleman, for the worm; anoint thyself for the crawling creatures of the grave; and worse, come thou down to the pit in goodly apparel; my lord, come there, to find yourself no higher than others, except it be

higher in torture, and plunged deeper in flames. Aye, it ill becomes us to waste so much time upon the trifling here, when there is so much to be done and so little time for doing it in the saving of men's souls. O God, our God, deliver men from feasting and pampering their bodies when they are only fattening them for the slaughter, and feeding them to be devoured in the flame.

Again, hear me when I say to you, who are gratifying your lusts—do you know that those bodies, the lusts of which you gratify here, will be in hell, and that you will have the same lusts in hell that you have here? The debauchee hastes to indulge his body in what he desires—can he do that in hell? Can he find a place there where he shall gratify his lust and find indulgence for his foul desire? The drunkard here can pour down his throat the intoxicating and deadly draught; but where will he find the liquor to drink in hell, when his drunkenness will be as hot upon him as it is here! Aye, where will he find so much as a drop of water to cool his parched tongue? The man who loves gluttony here will be a glutton there; but where will be the food to satisfy him, when he may hold his finger up and see the loaves go away from him, and the fruits refuse his grasp. Oh! to have your passions and yet not to satisfy them! To shut a drunkard up in his cell, and give him nothing to drink! He would dash himself against the wall to get the liquor, but there is none for him. What will you do in hell, O drunkard, with that thirst in your throat, and having naught but flames to swallow, which increase thy woe? And what will you do, O rake, when still you would be seducing others, but there are none with whom you can sin? Do I speak plainly? Did not Christ do so? If men will sin, they will find men who are not ashamed to reprove them. Ah! to have a body in hell, with all its lusts, but not the power to satisfy them! How horrible that hell will be!

But hear me yet again. Oh! poor sinner, if I saw thee going into the inquisitor's den to be tormented, would I not beg of thee to stop ere thou shouldst put thy foot upon the threshold? And now I am talking to you of things that are real. If I were standing on a stage this morning, and were acting among these things as fancies, I would make you weep; I would make the godly weep to think that so many should be damned. But when I speak of realities, they do not move you half as much as

fictions would, and ye sit just as ye did ere the service had commenced. But hear me while I again affirm God's truth; I tell thee, sinner, that those eyes that now look on lust shall look on miseries that shall vex and torment thee. Those ears which now thou lendest to hear the song of blasphemy shall hear moans and groans, and horrid sounds, such as only the damned know. That very throat down which thou dost drink shall be filled with fire. Those very lips and arms of thine will be tortured all at once. Why, if thou hast a headache thou wilt run to a physician; but what wilt thou do when thy head, and heart, and hands, and feet, ache all at once? If thou hast but a pain in thy reins, thou wilt search out medicines to heal thee; but what wilt thou do when gout, and rheum, and vertigo, and all else that is vile attack thy body at once? How wilt thou bear thyself when thou shalt be loathsome with every kind of disease, leprous, palsied, black, rotten, thy bones aching, thy marrow quivering, every limb thou hast filled with pain; thy body a temple of demons and a channel of miseries. And will ye march blindly on? As the ox goeth to the slaughter, and the sheep licketh the butcher's knife, so it is with many of you. Sirs, you are living without Christ, many of you; you are self-righteous and ungodly. One of you is going out this afternoon to take his day's pleasure; another is a fornicator in secret; another can cheat his neighbor; another can now and then curse God; another comes to this chapel, but in secret he is a drunkard; another prates about godliness, and God wots he is a damned hypocrite. What will ye do in that day when ye stand before your Maker? It is a little thing to have your minister upbraid you now; it is a small thing to be judged of man's judgment; what will ye do when God shall thunder out, not your accusation, but your condemnation: "Depart ye cursed, into everlasting fire, prepared for the devil and his angels"? Ah! ye sensual ones, I knew I should never move you while I spoke about torments for your souls. Do I move you now? Ah! no. Many of you will go away and laugh, and call me, as I remember once being called before, "a hell-fire parson." Well, go; but you will see the hell-fire preacher one day in heaven, perhaps, and you yourselves will be cast out; and looking down thence, with reproving glance, it may be that I shall remind you that you heard the Word, and listened not to it. Ah! men, it is a light thing to hear it; it will be hard enough to bear it. You listen to me now unmoved; it will be harder work when death

gets hold of you, and you lie roasting in the fire. Now you despise Christ, you won't despise him then. Now ye can waste your Sabbaths; then ye would give a thousand worlds for a Sabbath if ye could but have it in heaven. Now ye can scoff and jeer; there will be no scoffing and jeering then; you will be shrieking, howling, wailing for mercy; but —

> « There are no acts of pardon passed
> In the cold grave to which we haste;
> But darkness, death, and long despair,
> Reign in eternal silence there ! »

O my hearers! the wrath to come! the wrath to come! the wrath to come! Who among you can dwell with devouring fire? Who among you can dwell with everlasting burning? Can you, sir? Can you? Can you abide the flame forever? « Oh, no, » sayest thou, « What can I do to be saved? » Hear thou what Christ has to say: « Believe thou on the Lord Jesus Christ, and thou shalt be saved. » « He that believeth and is baptized shall be saved; he that believeth not, shall be damned. » « Come, let us reason together, saith the Lord: though your sins be as scarlet, they shall be as wool; though they be red like crimson, they shall be whiter than snow. »

# ARTHUR PENRHYN STANLEY

(1815–1881)

ARTHUR PENRHYN STANLEY, Dean of Westminster and leader of the "Broad Church" party in the English Church, was born at Alderley, England, December 13th, 1815. After his graduation he served for ten years as a tutor at Oxford, giving up the work in 1851 when he was made Canon of Canterbury. In 1856 he became Professor of Ecclesiastical History in Oxford, and held that position until 1863, when he was appointed Dean of Westminster. His intellectual activity was marked. From 1844, when his 'Life and Correspondence of Thomas Arnold' appeared, until his death, July 18th, 1881, he published one volume after another of sermons, essays, and social and historical studies. The discourse he delivered in Westminster Abbey a few days after the death of Lord Palmerston is in his best vein, abounding in passages of striking truth, nobly and memorably expressed.

## PALMERSTON AND THE DUTY OF ENGLAND

(From a Discourse Delivered in Westminster Abbey on the 29th of October, 1865, a Few Days after the Death of Lord Palmerston)

EACH human soul gifted above the souls of common men leaves, as it passes away from this lower world, a light peculiar to itself. As in a mountainous country each lofty peak is illumined with a different hue by the setting sun, so also each of the higher summits of human society is lighted up by the sunset of life with a different color. Whether the difference arises from the materials of which it is composed, or from the relative position it has occupied, a new and separate lesson is taught by it of truth or of duty, of wisdom or of hope. What, then, are the special lessons which we learn from the life and character of the remarkable man who has just been taken away from us, and to whose memory so great a national tribute has just been paid? First, there is this singular peculiarity—that the gifts to which the eminence of the departed statesman was

due were gifts far more within the attainment of us all than is commonly supposed. It has been said of Judas Maccabeus, that of all the military chiefs of his time he was the one who accomplished the greatest results with the smallest amount of external resources. Of our late chief it might no less truly be said, that of all political leaders he achieved great success by the most homely and ordinary means. It was that which made his life in so many respects an example and an encouragement to all. The persevering devotion of his days and nights to the public service, and the toil and endurance of more than half a century in the various high stations in which he was employed, — these are qualities which might be imitated by every single person. They, whoever they may be, who are disposed, as so many young men are in the present day, to give themselves up to ease and self-indulgence — avoiding, if they can, everything which costs continued trouble, everything which demands honest, earnest, hard work — must remember that not by such faint-hearted, idle carelessness can either God or man be served to any purpose; or the true end of any human soul be attained, for either this life or the life to come.

Let men, whoever they may be, who are working zealously, honestly, and humbly in their several stations, work on the more zealously and faithfully from this day forward, reflecting that in the honors paid to one who was in this respect but a fellow-laborer with themselves, the nation has, in the sight of God, set its seal on the value of work, on the nobleness of toil, on the grandeur of long days of labor, on the dignity of plodding, persevering diligence. Again, the departed statesman won his way not so much by eloquence, or genius, or far-sighted greatness, as by the lesser graces of good humor, gaiety, and kindness of heart, tact, and readiness — lesser graces, doubtless, of which some of the highest characters have been destitute, but graces which are not the less gifts of God, and which even in the house of God we do well to reverence and admire. They who may think it of little moment to take offense at the slightest affront — who by their presence throw a chill over whatever society they enter — they who make the lives of others miserable by wounding their keenest sensibilities — they who poison discussion and embitter controversy by pushing particular views on to the extremest consequences, and by widening differences between man and man — they who think it their duty to make the worst

of every one from whom they dissent, and enter a never-ending protest against those who may have done them wrong,— such as these may have higher pretensions, and, it may be, higher claims to honor and respect, yet they will do well to understand the silent rebuke which arises from the new-made grave, and which God designs for their especial benefit. From a statesman who had always a soft word to turn away wrath — who, when attacked, never bore malice towards his enemies, and who was rather the more desirous of seeing in those who opposed him the true merit and value of their essential characters — from him and from the honor paid to him, many an eager partisan, many a hard polemic, many a stern moralist, may learn a lesson. Yet again, the long life which has just closed was an enduring witness to the greatness of that gift which even the heathen recognized — of hope, cheerful, lasting hope. The vicissitudes of the octogenarian chief seem to say to us: "Never despair." From a youth of comparative obscurity, from a middle age of constant turmoil, passing through a career of many changes, were attained at last that serene and bright old age, and that calm and honored death, which in a measure are within the reach of all, if God so permit, and which we should all try to achieve. Let us never think it is too late, or that our day is past; let us never lose heart, but hold on to the end, and we may at last be victorious and successful, even as he was — it may be in a still nobler cause, and with still more lasting results, to ourselves at least, if not to nations. Nor let us say that it was only the natural result of a buoyant and vigorous constitution. To a great degree no doubt it was so, yet it was also due in a large measure to a kind of quiet conviction that the fitting course for man was to do what was good for the moment, without vainly forecasting the future; to do the present duty and to leave the results to God. "I do not understand," he once said, "what is meant by the anxiety of responsibility. I take every pains to do what is for the best, and having done that, I leave the consequences altogether alone." That strain was, indeed, of a higher kind. It was the strain of inspired wisdom in ancient days,—"Whatsoever thy hand findeth to do, do it with thy might, for there is no work, nor device, nor knowledge, nor wisdom in the grave, whither thou goest." This leads us to another view of the policy of the late Lord Palmerston, in which the humblest may take an interest. If any one were asked what was the thought or belief that

from first to last most distinctly guided his policy, he would say his unfailing trust in the greatness of England. He was an Englishman even to excess. It was England, rather than any particular party; it was the honor and interests of England, rather than the Constitution or the State or the Church of England, that fired his admiration, stimulated his efforts, and secured his fame. For this it was that his name was known throughout the world — in the most secluded village of Calabria, along the shores of the Caspian Sea, or among the wildest solitudes of Thibet. To England the vast length of that laborious life, with whatever shortcomings, was in all simplicity and faithfulness devoted. Let us, then, earnestly reflect on what should be our own duty in our own place in that mighty commonwealth of which we are members no less than he was, and for which we, no less than he, are bound, in the sight of God, to lay down our lives and spend our latest breath.

As citizens of England, think of our marvelous history, slowly evolved out of our peculiar situation; think of the fusion of hostile races and hostile institutions within the same narrow limits; think of the long continuous line of our literature, such as is unknown in any other country; think of our refuge for freedom; think of our temperate Monarchy and Constitution, so fearfully and wonderfully wrought out through the toil and conflict of so many centuries; think of our pure domestic homes; think of the English prayer book, the English Bible woven into our inmost and earliest recollections; think of our liberty of conscience and of speech, which gives to conscience and to speech double and treble value. These are some of the elements that go to make up the whole idea that is conjured up by the sacred name of England, and for which our lamented statesman lived and died. What England is or will be depends in great measure on her own individual sons and daughters. Nations are the schools in which individual souls are trained. The virtues and sins of a nation are those of each one of its citizens, on a larger scale, and written in gigantic characters. To be a citizen of England, according to our lost chief, was the greatest boast and the greatest claim on protection and influence that a man could show in any part of the world. To be a citizen of England, in the fullest sense, worthy of all that England has been and might be, worthy of our noble birthright and of our boundless opportunities, we should seek, every one of us, not in presumptuous confidence, but

in all Christian humility, to redeem the time that is still before us, and to understand what the will of God is for ourselves and for our children. It is impossible not to feel that we are witnessing, not only the flight of an individual spirit into the unseen world, but the close of one generation and one stage of our history, and the beginning of another. We have climbed to the height of one of those ridges which mark off the past from the future, we are in the watershed of the dividing stream. We have reached the turning point whence the stream of political and national life will flow in another direction, taking its rise from another source, to fertilize other climes. On that eminence, so to speak, we now stand, and to this new start in our pilgrimage each one of us has now to look forward. It is not in England as in other countries, where the national will is but little felt, compared with the will of a single ruler. That public opinion of which we hear so much, and which was believed to be the guiding star of the sagacious man who is gone, is molded by every one who has a will, or a heart, or a head, or a conscience of his own, throughout this vast empire. If it be true that to follow, not to lead, public opinion must henceforth be the course of our statesmen, then our responsibilities and the responsibility of the nation are deepened further still. Just as in a beleaguered city, where every sentinel knows that on his single fidelity might depend the fate of all. A single resolute mind, loving the truth only, has before now brought the whole mind of a nation around itself; a single pure spirit has, by its own holy aspirations, breathed itself into the corrupt mass of a national literature; and a single voice raised honestly in behalf of truth, justice, and mercy has blasted forever practices which were once universal. So I would call upon men, in the prospect of the changes and trials, whatsoever they are, which are now before them — in the midst of the memories by which they are surrounded, in the face of that mighty future to which they are all advancing — to forget "those things that are behind" — to forget in him who is gone all that was of the earth earthy, and reach forward to his character in all that is immortal — in his freedom from party spirit, and in his self-devotion to the public weal. Let men forget, too, in the past and present generations, all that is behind the best spirit of our age, all that is before in the true spirit of the Gospel, all that is behind the requirements of the most enlightened and the most Christian conscience, and reach forward, one and

all, towards those great things which they trust are still before them — the great problems which our age, if any, might solve — the great tasks which our nation alone can accomplish — the great doctrines of our common faith which they may have opportunities of grasping with a firmer hand than ever they had before — the great reconciliation of things old with things new, of things human with things sacred, of class with class, of man with man, of nation with nation, of Church with Church, of all with God. This, and nothing less than this, is the high calling of the nineteenth century — this is the high calling of England — this is the high calling of every English citizen; and he who answers not to this high call is utterly unworthy of his birthright as a member of this our kingly commonwealth.

# ALEXANDER H. STEPHENS

(1812–1883)

ALEXANDER HAMILTON STEPHENS, Vice-President of the Confederate States, was one of the many remarkable men of Georgia birth who have helped to make American history. He represented strongly and conscientiously, as he did everything, the Whig view of social and political institutions. The more aristocratic element of the Whigs in the South, as in New England and New York, made no secret of their dissent from Jefferson's theories of equality. They believed that some men and some races were born to be ruled by others, who were created more intelligent and more benevolent for the special purpose of ruling them. Mr. Stephens never expressed this view so concisely perhaps as it was expressed in a poem entitled 'The White Man's Burden,' published by Mr. Kipling in 1899. He did express it, however, with conciseness and emphasis in what is known as his 'Corner-Stone Address,' delivered at Savannah, Georgia, March 21st, 1861. Named for Alexander Hamilton, and inclining to his views of the Federal Constitution, Mr. Stephens opposed secession with energy and ability, but when he was overruled by his State he became a radical supporter of its policies, and remained so during his life. His 'War between the States' and his 'History of the United States' are, perhaps, the best exposition of the views of the Southern Whigs, whose love for the Union did not cease even when they were fighting it. Mr. Stephens was a public speaker of great force, derived more from his unhesitating courage and habitual directness than from the study of rhetoric or skill in oratory. He was born near Crawfordville, Georgia, February 11th, 1812, and educated at the University of Georgia. After his graduation in 1832 he began to practice law, and soon afterwards entered politics as a member of the State Legislature. From 1843 to 1859 he represented a Georgia district in Congress, acting with the Whigs as long as that party retained its vitality and with the Democrats afterwards. He was Vice-President of the Confederate States from 1861 to 1865, and after the surrender at Appomattox he was arrested and imprisoned for some time in Fort Warren in Boston Harbor. After his release Georgia elected him to the United States Senate, but he was not seated; and he did not re-enter public life until eleven

years later. He was then elected to Congress as a member of the House of Representatives, and served from 1874 to 1882. He retired from Congress to become Governor of Georgia in 1883, and died March 4th of that year

## THE SOUTH AND THE PUBLIC DOMAIN

(From a Speech in the House of Representatives, August 6th, 1850)

A PUBLIC domain has been acquired by the common blood and common treasure of all, and the South, which is charged with endeavoring to control the Government for its purposes, asks nothing but that the common territory which is the public property may be opened to the entry and settlement and equal enjoyment of all the citizens of every part of the Republic, with their property of every description; while it is the North which comes here and demands that the whole of this common domain shall be set apart exclusively for itself, or for itself and such persons from the South as will strip themselves of a certain species of their property, and conform their views to the policy of the North. I submit it to every candid man in this House, and to every intelligent and candid man in the world, outside of the House, if this is not a fair statement of the question. The South asks no discrimination in her favor. It is the North that is seeking to obtain discriminations against her and her people. And who leads in this endeavor to control the action of the Government for sectional objects? It is the gentleman himself who brings this charge against the South. Sir, I deny the charge, and repel it. And I tell that gentleman and the House if these agitations are not to cease until the South shall quietly and silently yield to these demands of the North, it is useless to talk of any amicable settlement of the matters in controversy. If that is the basis you propose, we need say nothing further about agreement or adjustment — upon those terms we can never settle. The people of the South have as much right to occupy, enjoy, and colonize these Territories with their property as the people of the North have with theirs. This is the basis upon which I stand, and the principles upon which it rests are as immutable as right and justice. They are the principles of natural law, founded in natural justice, as recognized by the ablest publicists who have written upon the laws of nations and the

rights pertaining to conquests. These acquisitions belong to the whole people of the United States, as conquerors. They hold them under the Constitution and the General Government as common property in a corporate capacity.

Vattel, in treating on this subject in his work on the laws of nations, says (Book I., chap. xx., p. 113):—

"All members of a corporation have an equal right to the use of the common property. But respecting the manner of enjoying it, the body of the corporation may make such regulations as they may think proper, provided that those regulations be not inconsistent with that equality of right which ought to be preserved in a communion of property. Thus a corporation may determine the use of a common forest or a common pasture, either allotting it to all the members, according to their wants, or allotting each an equal share; but they have not a right to exclude any one of the members, or to make a distinction to his disadvantage, by assigning him a less share than that of the others."

The principles here set forth are those upon which I place the merits and justice of our cause. Under our Constitution the power of making regulations for the enjoyment of the common domain devolves upon Congress, the common agent of all the parties interested in it. In the execution of this trust it is the duty of Congress to pass all laws necessary for an equal and just participation in it. And so far from this common agent having any right to exclude a portion of the people, or "to make distinctions to their disadvantage," it is the duty of Congress to open the country by the removal of all obstructions, whether they be existing laws or anything else, and to give equal protection to all who may avail themselves of the right to use it. But you men of the North say that we of the South wish to carry our slaves there, and that the free labor of the North cannot submit to the degradation of being associated with slave labor. Well, then, we say, as the patriarch of old said to his friend and kinsman, when disputes arose between the herdsmen of their cattle: "Let there be no strife, I pray thee, between me and thee, and between my herdsmen and thy herdsmen, for we be brethren. Is not the whole land before thee? Separate thyself, I pray thee, from me. If thou wilt take the left hand, then I will go to the right; or, if thou depart to the right hand, then I will go to the left." In other words, we say, if you cannot agree to enjoy this public domain in common, let us divide it. You take a share,

and let us take a share. And I again submit to an intelligent and candid world if the proposition is not fair and just?—and whether its rejection does not amount to a clear expression of your fixed determination to exclude us entirely from any participation in this public domain?

Now, sir, all that we ask, or all that I ask, is for Congress to open the entire country, and give an equal right to all the citizens of all the States to enter, settle, and colonize it with their property of every kind; or to make an equitable division of it. Is this wrong? Is it endeavoring to control the action of Congress improperly to carry out sectional views and interests? And am I to subject myself to the intended reproach of being an ultraist for insisting upon nothing but what is just and right? If so, I am willing to bear whatever of reproach the epithet may impart. If a man be an ultraist for insisting upon nothing but his rights, with a willingness to compromise even these upon any fair and reasonable terms, without a total abandonment of them, then I am an ultraist. And I am mistaken in the character of that people amongst whom I was born and with whom I have been reared, if a large majority of them, when all their propositions for adjustment and compromise shall have been rejected, will not be ultraists too. Be not deceived, and do not deceive others—this Union can never be maintained by force. With the confidence and affections of the people of all sections of the country, it is capable of being the strongest and best government on earth. But it can never be maintained upon any other principles than those upon which it was formed. All free governments are the creatures of volition—a breath can make them and a breath can destroy them. This Government is no exception to the rule. And when once its spirit shall have departed, no power on earth can ever again infuse in it the Promethean spark of life and vitality. You might just as well attempt to raise the dead.

Mr. Chairman, when I look to the causes which lie at the bottom of these differences of opinion between the North and the South, and out of which this agitation springs; when I look at their character, extent, and radical nature—entering, as they necessarily do, into the very organization of society with us, I must confess that unpleasant apprehensions for the future permanent peace and quiet of the different States of this Union force themselves upon my mind. I am not, however, disposed to anticipate

evil by indulging those apprehensions unless compelled to do so. It may be that we have the seeds of dissolution in our system which no skill can eradicate, just as we carry with us in our bodies the seeds of death which will certainly do their work at the allotted time. But because we are all conscious that we must die, it does not follow that we should hasten the event by an act of suicide. We have the business, duties, and obligations of life to discharge. So with this Government. Because I may have serious apprehensions of the workings of causes known to exist, I do not conceive it therefore to be in the line of duty to anticipate the natural effects of those causes by any rash or unjustifiable act. I am disposed rather to hope for the best, while I feel bound to be prepared for the worst. What is really to be the future fate and destiny of this Republic is a matter of interesting speculation; but I am well satisfied that it cannot last long, even if the present differences be adjusted, unless these violent and bitter sectional feelings of the North be kept out of the National Halls. This is a conclusion that all must come to, who know anything of the lessons of history. But our business to-day is with the present, and not the future; and I would now invoke every Member of this House who hears me, with the same frankness, earnestness, and singleness of purpose with which I have addressed them throughout these remarks, to come up like men and patriots, and relieve the country from the dangerous embarrassments by which it is at this time surrounded. It is a duty we owe to ourselves, to the millions we represent, and to the whole civilized world. To do this, I tell you again, there must be concessions by the North as well as the South. Are you not prepared to make them? Are your feelings too narrow and restricted to embrace the whole country and to deal justly by all its parts? Have you formed a fixed, firm, and inflexible determination to carry your measures in this House by numerical strength, and then to enforce them by the bayonet? If so, you may be prepared to meet the consequences of whatever follows. The responsibility will rest upon your own heads. You may think that the suppression of an outbreak in the Southern States would be a holiday job for a few of your Northern regiments, but you may find to your cost, in the end, that seven millions of people fighting for their rights, their homes, and their hearthstones, cannot be "easily conquered." I submit the matter to your deliberate consideration.

I have told you, sincerely and honestly, that I am for peace and the Union upon any fair and reasonable terms — it is the most cherished sentiment of my heart. But if you deny these terms — if you continue "deaf to the voice" of that spirit of justice, right, and equality, which should always characterize the deliberations of statesmen, I know of no other alternative that will be left to the people of the South, but, sooner or later, "to acquiesce in the necessity" of "holding you, as the rest of mankind, enemies in war — in peace, friends."

## ON THE CONFEDERATE CONSTITUTION

(From an Address at the Athenæum in Savannah, Georgia, March 21st, 1861)

*Mr. Mayor and Gentlemen:—*

WE ARE in the midst of one of the greatest epochs in our history. The last ninety days will mark one of the most interesting eras in the history of modern civilization. Seven States have in the last three months thrown off an old government and formed a new. This revolution has been signally marked, up to this time, by the fact of its having been accomplished without the loss of a single drop of blood. This new constitution, or form of government, constitutes the subject to which your attention will be partly invited.

In reference to it, I make this first general remark: it amply secures all our ancient rights, franchises, and liberties. All the great principles of Magna Charta are retained in it. No citizen is deprived of life, liberty, or property, but by the judgment of his peers under the laws of the land. The great principle of religious liberty, which was the honor and pride of the old Constitution, is still maintained and secured. All the essentials of the old Constitution, which have endeared it to the hearts of the American people, have been preserved and perpetuated. Some changes have been made. Some of these I should prefer not to have seen made; but other important changes do meet my cordial approbation. They form great improvements upon the old Constitution. So, taking the whole new constitution, I have no hesitancy in giving it as my judgment that it is decidedly better than the old.

Allow me briefly to allude to some of these improvements. The question of building up class interests, or fostering one

branch of industry to the prejudice of another under the exercise of the revenue power, which gave us so much trouble under the old Constitution, is put at rest forever under the new. We allow the imposition of no duty with a view of giving advantage to one class of persons, in any trade or business, over those of another. All, under our system, stand upon the same broad principles of perfect equality. Honest labor and enterprise are left free and unrestricted in whatever pursuit they may be engaged. This old thorn of the tariff, which was the cause of so much irritation in the old body politic, is removed forever from the new. . . .

Another change in the Constitution relates to the length of the tenure of the presidential office. In the new constitution it is six years instead of four, and the President is rendered ineligible for a re-election. This is certainly a decidedly conservative change. It will remove from the incumbent all temptation to use his office or exert the powers confided to him for any objects of personal ambition. The only incentive to that higher ambition which should move and actuate one holding such high trusts in his hands will be the good of the people, the advancement, happiness, safety, honor, and true glory of the Confederacy.

But, not to be tedious in enumerating the numerous changes for the better, allow me to allude to one other — though last, not least. The new constitution has put at rest forever all the agitating questions relating to our peculiar institution. African slavery as it exists amongst us, the proper status of the negro in our form of civilization — this was the immediate cause of the late rupture and present revolution. Jefferson, in his forecast, had anticipated this as the "rock upon which the old Union would split." He was right. What was conjecture with him is now a realized fact. But whether he fully comprehended the great truth upon which that rock stood and stands may be doubted. The prevailing ideas entertained by him and most of the leading statesmen at the time of the formation of the old Constitution were that the enslavement of the African was in violation of the laws of nature; that it was wrong in principle, socially, morally, and politically. It was an evil they knew not well how to deal with; but the general opinion of the men of that day was that, somehow or other, in the order of Providence, the institution would be evanescent and pass away. This idea, though not incorporated in the Constitution, was the prevailing idea at that

time. The Constitution, it is true, secured every essential guarantee to the institution while it should last, and hence no argument can be justly urged against the constitutional guaranties thus secured, because of the common sentiment of the day. Those ideas, however, were fundamentally wrong. They rested upon the assumption of the equality of races. This was an error. It was a sandy foundation, and the government built upon it fell when "the storm came and the wind blew."

Our new government is founded upon exactly the opposite idea; its foundations are laid, its corner-stone rests, upon the great truth that the negro is not equal to the white man, that slavery — subordination to the superior race — is his natural and normal condition.

This, our new government, is the first in the history of the world based upon this great physical, philosophical, and moral truth. This truth has been slow in the process of its development, like all other truths in the various departments of science. It has been so even amongst us. Many who hear me, perhaps, can recollect well that this truth was not generally admitted, even within their day. The errors of the past generation still clung to many as late as twenty years ago. Those at the North who still cling to these errors, with a zeal above knowledge, we justly denominate fanatics. All fanaticism springs from an aberration of the mind, from a defect in reasoning. It is a species of insanity. One of the most striking characteristics of insanity, in many instances, is forming correct conclusions from fancied or erroneous premises. So with the antislavery fanatics; their conclusions are right, if their premises were. They assume that the negro is equal, and hence conclude that he is entitled to equal rights and privileges with the white man. If their premises were correct, their conclusions would be logical and just; but, their premise being wrong, their whole argument fails. I recollect once hearing a gentleman from one of the Northern States, of great power and ability, announce in the House of Representatives, with imposing effect, that we of the South would be compelled ultimately to yield upon this subject of slavery, that it was as impossible to war successfully against a principle in politics as it was in physics or mechanics; that the principle would ultimately prevail; that we, in maintaining slavery as it exists with us, were warring against a principle, founded in nature, the principle of the equality of men. The reply I made to him was that upon

his own grounds we should ultimately succeed, and that he and his associates in this crusade against our institutions would ultimately fail. The truth announced that it was as impossible to war successfully against a principle in politics as it was in physics and mechanics, I admitted; but told him that it was he, and those acting with him, who were warring against a principle. They were attempting to make things equal which the Creator had made unequal.

# THADDEUS STEVENS

(1793–1868)

THE peroration of the speech made against the Compromise of 1850 by Thaddeus Stevens is a fair illustration of the views of the radical reformers of his generation, and is also a good example of the burning eloquence to which they were moved by the intensity of their feelings. «There can be no fanatics in the cause of genuine liberty,» he said. «There may be, and every hour shows around me, fanatics in the cause of false liberty — that infamous liberty which justifies human bondage; that liberty whose corner-stone is slavery. But there can be no fanaticism, however high the enthusiasm, in the cause of rational, universal liberty — the liberty of the Declaration of Independence.» In this spirit, Stevens, Theodore Parker, and other men of equal intellect at the North, denounced Daniel Webster until he died, sorrowful and almost hopeless; while at the South a correlated radicalism gained strength until the «Clay Whigs» and «Jackson Democrats» were alike forced to the rear by new leaders created by the crisis. In view of its effect, the attack made by Mr. Stevens on Webster has a permanent historical importance.

He was born in Caledonia County, Vermont, April 4th, 1793. Graduating at Dartmouth College in 1814, he removed to Gettysburg, Pennsylvania, two years later, and began to practice law. Entering Pennsylvania politics, he soon became prominent and was elected to Congress as a Whig for two terms between 1849 and 1853. He helped to organize the Republican party, and from 1859 to 1868 was one of the leaders of its extreme wing in the House of Representatives. In 1868 he proposed and managed the impeachment of Andrew Johnson, whom he regarded as a traitor and sympathizer with rebellion. He died August 11th, 1868.

## AGAINST WEBSTER AND NORTHERN COMPROMISERS

(Peroration of a Speech in the House of Representatives, June 10th, 1850)

DANTE, by actual observation, makes hell consist of nine circles, the punishments of each increasing in intensity over the preceding. Those doomed to the first circle are much less afflicted than those in the ninth, where are tortured Lucifer and Judas Iscariot — and I trust, in the next edition, will be added, the traitors to liberty. But notwithstanding this difference in degree, all, from the first circle to the ninth, inclusive, is hell — cruel, desolate, abhorred, horrible hell! If I might venture to make a suggestion, I would advise these reverend perverters of Scripture to devote their subtlety to what they have probably more interest in — to ascertaining and demonstrating (perhaps an accompanying map might be useful) the exact spot and location where the most comfort might be enjoyed — the coolest corner in the Lake that burns with fire and brimstone!

But not only by honorable gentlemen in this House, and right honorable gentlemen in the other, but throughout the country, the friends of Liberty are reproached as "transcendentalists and fanatics." Sir, I do not understand the terms in such connection. There can be no fanatics in the cause of genuine liberty. Fanaticism is excessive zeal. There may be, and have been, fanatics in false religion; in the bloody religion of the heathen. There are fanatics in superstition. But there can be no fanatics, however warm their zeal, in true religion, even although you sell your goods, and bestow your money on the poor, and go and follow your Master. There may be, and every hour shows around me, fanatics in the cause of false liberty — that infamous liberty which justifies human bondage; that liberty whose corner-stone is slavery. But there can be no fanaticism, however high the enthusiasm, in the cause of rational, universal liberty — the liberty of the Declaration of Independence.

This is the same censure which the Egyptian tyrant cast upon those old abolitionists, Moses and Aaron, when they "agitated" for freedom, and, in obedience to the command of God, bade him let the people go.

But we are told by these pretended advocates of liberty in both branches of Congress, that those who preach freedom here and elsewhere are the slave's worst enemies; that it makes the

slaveholder increase their burdens and tighten their chains; that more cruel laws are enacted since this agitation began in 1835. Sir, I am not satisfied that this is the fact. I will send to the clerk, and ask him to read a law of Virginia enacted more than fifty years before this agitation began. It is to be found in the sixth volume of 'Hening's Statutes at Large of Virginia,' published in 1819, "pursuant to an act of the General Assembly of Virginia, passed on the fifth day of February, 1808."

"Sec. xxiv. And that when any slave shall be notoriously guilty of going abroad in the night, or running away and laying out, and cannot be reclaimed from such disorderly courses by common methods of punishment, it shall be lawful for the county court, upon complaint and proof thereof to them made by the owner of such slave, to order and direct such punishment by dismembering, or any other way, not touching life, as the court shall think fit. And if such slave shall die by means of such dismembering, no forfeiture or punishment shall be thereby incurred."

I have had that law read to see if any gentleman can turn me to any more cruel laws passed since the "agitation." I did not read it myself, though found on the pages of Old Virginia's law books, lest it should make the modest gentleman from Virginia [Mr. Millson], and the gentleman from North Carolina [Mr. Stanly], and his gray-headed negro, blush!

[Mr. Bayly of Virginia — That law is repealed, or not now in force.
Mr. Stevens — Then I am glad that the agitation has produced some amelioration of your laws, although I still find it on your statute book.]

But suppose it were true that the masters had become more severe; has it not been so with tyrants in every age? The nearer the oppressed is to freedom, and the more hopeful his struggles, the tighter the master rivets his chains. Moses and Aaron urged the emancipation of the enslaved Jews. Their master hardened his heart. Those fanatical abolitionists, guided by Heaven, agitated anew. Pharaoh increased the burden of the slaves. He required the same quantity of brick from them without straw, as when the straw had been found them. They were seen dispersed and wandering to gather stubble to make out their task. They failed, and were beaten with stripes. Moses was their worst enemy, according to these philanthropic gentlemen. Did the Lord think so, and command him to desist, lest

he should injure them? No; he directed him to agitate again, and demand the abolition of slavery from the King himself. That great slaveholder still hardened his heart, and refused. The Lord visited him with successive plagues — lice, frogs, locusts, thick darkness — until, as the agitation grew higher, and the chains were tighter drawn, he smote the firstborn of every house in Egypt; nor did the slaveholder relax the grasp on his victims, until there was wailing throughout the whole land, over one dead in every family, from the King that sat on the throne to the captive in the dungeon. So I fear it will be in this land of wicked slavery. You have already among you what is equivalent to the lice and the locusts, that wither up every green thing where the foot of slavery treads. Beware of the final plague. And you, in the midst of slavery, who are willing to do justice to the people, take care that your works testify to the purity of your intentions, even at some cost. Take care that your doorposts are sprinkled with the blood of sacrifice, that when the destroying angel goes forth, as go forth he will, he may pass you by.

Aside from the principle of Eternal Right, I will never consent to the admission of another slave State into the Union (unless bound to do so by some constitutional compact, and I know of none such), on account of the injustice of slave representation. By the Constitution, not only the States now in the Union, but all that may hereafter be admitted, are entitled to have their slaves represented in Congress, five slaves being counted equal to three white freemen. This is unjust to the free States, unless you allow them a representation in the compound ratio of persons and property. There are twenty-five gentlemen on this floor who are virtually the representatives of slaves alone, having not one free constituent. This is an outrage on every representative principle, which supposes that representatives have constituents, whose will they are bound to obey and whose interest they protect. . . .

I shall not now particularly refer to the features of the most extraordinary conspiracy against liberty in the Senate, called the Compromise Bill. If it should survive its puerperal fever, we shall have another opportunity of knocking the monster in the head. I pass over what is familiarly known as the "ten-million bribe," which was evidently inserted for no other purpose than to create public opinion on 'change, and carry the bill.

But it is proposed to propitiate Virginia by giving her two hundred million dollars out of the public treasury, the proceeds of the public lands. If this sum were to be given for the purpose of purchasing the freedom of her slaves, large as it is, it should have my hearty support. It is, I think, at least fifty millions more than would pay for them all at a fair market price. But it is designed for no purpose of emancipation. The cool-headed, cool-hearted, philosophic author had no such "transcendental" object. It is to be specifically appropriated to exile her free people of color, and transport them from the land of their birth to the land of the stranger! Sir, this is a proposition not "fit to be made."

[Mr. Averett of Virginia here asked: Did not New England sell slaves?
Mr. Stevens — Yes, she sold, she imported slaves; she was very wicked; she has long since repented. Go ye and do likewise.]

It is my purpose nowhere in these remarks to make personal reproaches; I entertain no ill-will towards any human being, nor any brute, that I know of, not even the skunk across the way, to which I referred. Least of all would I reproach the South. I honor her courage and fidelity. Even in a bad, a wicked cause, she shows a united front. All her sons are faithful to the cause of human bondage, because it is their cause. But the North — the poor, timid, mercenary, driveling North — has no such united defenders of her cause, although it is the cause of human liberty. None of the bright lights of the nation shine upon her section. Even her own great men have turned her accusers. She is the victim of low ambition — an ambition which prefers self to country, personal aggrandizement to the high cause of human liberty. She is offered up a sacrifice to propitiate Southern tyranny — to conciliate Southern treason.

We are told that she has not done her duty in restoring fugitive slaves, and that more stringent laws must be passed to secure that object. A distinguished Senator from Kentucky [Mr. Clay] says it is the duty, not only of officers in the free States, but of all the people who happen to be present, to give active aid to the slave-owner to run down, arrest, and restore the man who is fleeing from slavery. An equally distinguished Senator from Massachusetts [Mr. Webster] unites with him in denouncing the aggressions of the North in this particular; and they both

declare their determination to vote for the bill, with its amendments, now on file, and which has become a part of the "Compromise."

It may be well to look a little at the law as it now stands on the subject, and then at the one which has enlisted such powerful support. By the Constitution alone, without any legislation, the slaveholder may go into a free State, take with him such force as he pleases, and take his slave and carry him back. If the fact of his slavery be disputed, either by the alleged slave or any one for him, the claimant may issue his writ *de homine repligiando*, and unless the defendant give ample bail for his forthcoming on the final issue, and for the payment of all costs and damages (which include the value of his services in the meantime), the plaintiff may take him into his possession, and retain him until final trial by a court and jury. Is not this sufficient? It is all the right which he would have if he claim property in a horse, or other property which he might allege had strayed over the line. Why should he have any greater right when he claims property in man? Is a man of so much less value than a horse, that he should be deprived of the ordinary protection of the law? Sir, in my judgment, the remedy ought to be left where the Constitution places it, without any legislation. The odious law of 1793 ought to be repealed.

By that law, the slaveholder may not only seize his slave and drag him back, but he may command the aid of all the officers of the United States Court; take his alleged slave before the judge, and after summary examination, without trial by jury, may obtain a certificate of property; which, for the purpose of removal, is conclusive of his slavery, takes away the writ of *habeas corpus*, and the right of trial by jury, and sends the victim to hopeless bondage. If an inhabitant of a free State see a wretched fugitive, who he learns is fleeing from bondage, and gives him a meal of victuals to keep him from starving, and allows him to sleep in his outhouse, although his master is not in pursuit of him, he is liable to the penalty of five hundred dollars. A judge in Pennsylvania lately held that a worthy citizen of Indiana County incurred such penalty by giving a cup of water and a crust of bread to a famishing man whom he knew to be fleeing from bondage. A slave family escaped from Maryland, went into Cumberland County, Pennsylvania, and obtained the reluctant consent of a worthy farmer to sleep in his hayloft. Their owner did not

pursue them for a week afterwards. It was held by a State court that the farmer was liable for the full value of the slaves, beside the five hundred dollars penalty, and a jury returned a verdict for two thousand dollars and costs. Such are some of the provisions of the law of 1793 now in force, which these great expounders of constitutional freedom hold to be too mild! And more stringent laws are to be passed to punish Northern men who have hearts! . . .

The distinguished Senator from Kentucky [Mr. Clay] wishes further to make it the duty of all bystanders to aid in the capture of fugitives; to join the chase and run down the prey. This is asking more than my constituents will ever grant. They will strictly abide by the Constitution. The slaveholder may pursue his slave among them with his own foreign myrmidons, unmolested, except by their frowning scorn. But no law that tyranny can pass will ever induce them to join the hue and cry after the trembling wretch who has escaped from unjust bondage. Their fair land, made by nature and their own honest toil as fertile and as lovely as the vale of Tempe, shall never become the hunting-ground on which the bloodhounds of slavery shall course their prey, and command them to join the hunt.

Sir, this tribunal would be more odious than the Star Chamber — these officers more hateful than the Familiars of the Inquisition.

Can the free North stand this? Can New England stand it? Can Massachusetts stand it? If she can, she has but one step further to take in degradation, and that is to deliver her own sons in chains to Southern masters! What would the bold Barons of Runnymede have said to such defenders of liberty? What would the advocates of English freedom, at any time, have said to those who would strike down the writ of *habeas corpus* and the right of trial by jury, those vital principles of Magna Charta and the Bill of Rights? They would have driven them forth as enemies in disguise.

Sir, I am aware of the temerity of these remarks. I know how little effect they will have, coming from so obscure a quarter, and being opposed by the mighty influences that create public opinion. I was struck with the sound sense of the remark made to-day by the gentleman from Tennessee [Mr. Gentry]. He said that the "Compromise" Bill was winning favor with the people, most of whom had never read it, merely because it

is advocated by great names in whom they are accustomed to confide.

Late events have convinced me that it were better in republican, representative governments, where the people are to judge and decide on every measure, if there were no great, overshadowing names, to give factitious force to their views, and lead the public mind captive. If the people were to put faith in no man's argument, they would examine every question for themselves, and decide according to their intrinsic merit. The errors of the small do but little harm; those of the great are fatal. Had Lucifer been but a common angel, instead of the Chief of the morning stars, he had not taken with him to perdition the third of the heavenly hosts, and spread disunion and discord in celestial, and sin and misery in earthly places.

Sir, so long as man is vain and fallible; so long as great men have like passions with others, and, as in republics, are surrounded with stronger temptations, it were better for themselves if their fame acquired no inordinate height, until the grave had precluded error. The errors of obscure men die with them, and cast no shame on their posterity. How different with the Great!

How much better had it been for Lord Bacon, that greatest of human intellects, had he never, during his life, acquired glory, and risen to high honors in the State, than to be degraded from them by the judgment of his peers. How much better for him and his, had he lived and died unknown, than to be branded through all future time as the—

"Wisest, brightest, meanest of mankind."

So now, in this crisis of the fate of liberty, if any of the renowned men of this nation should betray her cause, it were better that they had been unknown to fame. It need not be hoped that the brightness of their past glory will dazzle the eyes of posterity, or illumine the pages of impartial history. A few of its rays may still linger on a fading sky; but they will soon be whelmed in the blackness of darkness. For, unless progressive civilization, and the increasing love of freedom throughout the Christian and civilized world, are fallacious, the Sun of Liberty, of universal Liberty, is already above the horizon, and fast coursing to his meridian splendor, when no advocate of slavery, no apologist of slavery, can look upon his face and live.

## THE ISSUE AGAINST ANDREW JOHNSON

(From a Speech on the First Reconstruction Bill; Delivered in the House of Representatives, January 3d, 1867)

*Mr. Speaker:* —

WHAT are the great questions which now divide the nation? In the midst of the political Babel which has been produced by the intermingling of secessionists, rebels, pardoned traitors, hissing Copperheads, and apostate Republicans, such a confusion of tongues is heard that it is difficult to understand either the questions that are asked or the answers that are given. Ask what is the "President's policy," and it is difficult to define it. Ask what is the "policy of Congress," and the answer is not always at hand. A few moments may be profitably spent in seeking the meaning of each of these terms.

In this country the whole sovereignty rests with the people, and is exercised through their representatives in Congress assembled. The legislative power is the sole guardian of that sovereignty. No other branch of the government, no other department, no other officer of the government, possesses one single particle of the sovereignty of the nation. No government official, from the President and Chief-Justice down, can do any one act which is not prescribed and directed by the legislative power. . . .

Since, then, the President cannot enact, alter, or modify a single law; cannot even create a petty office within his own sphere of operations; if, in short, he is the mere servant of the people, who issue their commands to him through Congress, whence does he derive the constitutional power to create new States, to remodel old ones, to dictate organic laws, to fix the qualifications of voters, to declare that States are republican and entitled to command Congress to admit their Representatives? To my mind it is either the most ignorant and shallow mistake of his duties, or the most brazen and impudent usurpation of power. It is claimed for him by some as commander in chief of the army and navy. How absurd that a mere executive officer should claim creative powers. Though commander in chief by the Constitution, he would have nothing to command, either by land or water, until Congress raised both army and navy. Congress also prescribes

the rules and regulations to govern the army; even that is not left to the commander in chief.

Though the President is commander in chief, Congress is his commander; and, God willing, he shall obey. . . .

There are several good reasons for the passage of this bill. In the first place, it is just. I am now confining my argument to negro suffrage in the rebel States. Have not loyal blacks quite as good a right to choose rulers and make laws as rebel whites? In the second place, it is a necessity in order to protect the loyal white men in the seceded States. With them the blacks would act in a body; and it is believed then, in each of said States, except one, the two united would form a majority, control the States, and protect themselves. Now they are the victims of daily murder. They must suffer constant persecution, or be exiled.

Another good reason is that it would insure the ascendency of the Union party. "Do you avow the party purpose?" exclaims some horror-stricken demagogue. I do. For I believe, on my conscience, that on the continued ascendency of that party depends the safety of this great nation. If impartial suffrage is excluded in the rebel States, then every one of them is sure to send a solid rebel representation to Congress, and cast a solid rebel electoral vote. They, with their kindred Copperheads of the North, would always elect the President and control Congress. While Slavery sat upon her defiant throne, and insulted and intimidated the trembling North, the South frequently divided on questions of policy between Whigs and Democrats, and gave victory alternately to the sections. Now, you must divide them between loyalists, without regard to color, and disloyalists, or you will be the perpetual vassals of the free-trade, irritated, revengeful South. For these, among other reasons, I am for negro suffrage in every rebel State. If it be just, it should not be denied; if it be necessary, it should be adopted; if it be a punishment to traitors, they deserve it.

# JOSEPH STORY

(1779–1845)

JOSEPH STORY, Associate Justice of the United States Supreme Court and author of many important treatises on law, was born at Marblehead, Massachusetts, September 18th, 1779. When only thirty-two years old he was appointed to the Federal Supreme bench by President Madison. In 1829 he became Professor of Law at Harvard College, where he had graduated in 1798. The law professorship at Harvard, endowed by Nathan Dane, carried with it the proviso that the chair should be filled first by Story. His lectures at Harvard, even on the driest topics of law, were greatly admired, and, although he was habitually a writer rather than an orator, such addresses as he did deliver abound in passages worthy to be quoted as the best examples of English prose. In politics he was a Democrat, and he represented that party in Congress in 1808 and 1809. His treatises on legal subjects extend to thirteen volumes, exclusive of his volume of 'Pleadings' and the opinions he delivered from the bench. He died September 10th, 1845.

## INTELLECTUAL ACHIEVEMENT IN AMERICA

(From an Address before the Phi Beta Kappa Society of Harvard University, August 31st, 1826)

IT WAS a beautiful remark of Sir Joshua Reynolds "that great works, which are to live and stand the criticism of posterity, are not performed at a heat." "I remember," said he, "when I was at Rome, looking at the fighting gladiator in company with an eminent sculptor, and I expressed my admiration of the skill with which the whole is composed, and the minute attention of the artist to the change of every muscle in that momentary exertion of strength. He was of opinion that a work so perfect required nearly the whole life of man to perform." What an admonition! What a melancholy reflection to those who deem the literary fame of the present age the best gift to posterity. How many of our proudest geniuses have written, and continue to

write, with a swiftness which almost rivals the operations of the press. How many are urged on to the ruin of their immortal hopes, by that public favor which receives with acclamations every new offspring of their pen. If Milton had written thus, we should have found no scholar of our day, no "Christian Examiner," portraying the glory of his character with the enthusiasm of a kindred spirit. If Pope had written thus, we should have had no fierce contests respecting his genius and poetical attainments by our Byrons, and Bowleses, and Roscoes. If Virgil had written thus, he might have chanted his verses to the courtly Augustus; but Marcellus and his story would have perished. If Horace had written thus, he might have enchanted gay friends and social parties; but it would never have been said of his composition, *decies repetita placebit.*

Such are some of the considerations which have appeared to me fit to be addressed to you on the present occasion. It may be that I have overrated their importance, and I am not unconscious of the imperfections of my own execution of the task.

To us Americans, nothing indeed can, or ought to be indifferent that respects the cause of science and literature. We have taken a stand among the nations of the earth, and have successfully asserted our claim to political equality. We possess an enviable elevation, so far as concerns the structure of our government, our political policy, and the moral energy of our institutions. If we are not without rivals in these respects, we are scarcely behind any, even in the general estimate of foreign nations themselves. But our claims are far more extensive. We assert an equality of voice and vote in the republic of letters, and assume for ourselves the right to decide on the merits of others, as well as to vindicate our own. These are lofty pretensions, which are never conceded without proofs, and are severely scrutinized, and slowly admitted by the grave judges in the tribunal of letters. We have not placed ourselves as humble aspirants, seeking our way to higher rewards under the guardianship of experienced guides. We ask admission into the temple of fame, as joint heirs of the inheritance, capable in the manhood of our strength of maintaining our title. We contend for prizes with nations, whose intellectual glory has received the homage of centuries. France, Italy, Germany, England, can point to the past for monuments of their genius and skill, and to the present with the undismayed confidence of veterans. It is not for us to

retire from the ground which we have chosen to occupy, nor to shut our eyes against the difficulties of maintaining it. It is not by a few vain boasts, or vainer self-complacency, or rash daring, that we are to win our way to the first literary distinction. We must do as others have done before us. We must serve in the hard school of discipline. We must invigorate our powers by the studies of other times. We must guide our footsteps by those stars which have shone and still continue to shine with inextinguishable light in the firmament of learning. Nor have we any reason for despondency. There is that in American character which has never yet been found unequal to its purpose. There is that in American enterprise which shrinks not and faints not and fails not in its labors. We may say with honest pride: —

> "Man is the nobler growth our realms supply,
> And souls are ripen'd in our northern sky."

We may not, then, shrink from a rigorous examination of our own deficiencies in science and literature. If we have but a just sense of our wants, we have gained half the victory. If we but face our difficulties, they will fly before us. Let us not discredit our just honors by exaggerating little attainments. There are those in other countries who can keenly search out and boldly expose every false pretension. There are those in our own country who would scorn a reputation ill-founded in fact and ill-sustained by examples. We have solid claims upon the affection and respect of mankind. Let us not jeopard them by a false shame or an ostentatious pride. The growth of two hundred years is healthy, lofty, expansive. The roots have shot deep and far; the branches are strong and broad. I trust that many, many centuries to come will witness the increase and vigor of the stock. Never, never may any of our posterity have just occasion to speak of our country in the expressiveness of Indian rhetoric: "It is an aged hemlock; it is dead at the top."

I repeat it, we have no reason to blush for what we have been or what we are. But we shall have much to blush for, if, when the highest attainments of the human intellect are within our reach, we surrender ourselves to an obstinate indifference, or shallow mediocrity; if, in our literary career, we are content to rank behind the meanest principality of Europe. Let us not waste our time in seeking for apologies for our ignorance where

it exists, or in framing excuses to conceal it. Let our short reply to all such suggestions be, like the answer of a noble youth on another occasion, that we know the fact, and are every day getting the better of it. . . .

I advert to these considerations, not to disparage our country, or its institutions, or its means of extensive, I had almost said, of universal education. But we should not deceive ourselves with the notion that, because education is liberally provided for, the highest learning is within the scope of that education. Our schools neither aim at, nor accomplish such objects. There is not a more dangerous error than that which would soothe us into indolence, by encouraging the belief that our literature is all it can or ought to be; that all beyond is shadowy and unsubstantial, the vain theories of the scientific, or the reveries of mere scholars. The admonition which addresses itself to my countrymen respecting their deficiencies ought to awaken new energy to overcome them. They are accustomed to grapple with difficulties. They should hold nothing which human genius or human enterprise has yet attained as beyond their reach. The motto on their literary banner should be, *Nec timeo nec sperno.* I have no fears for the future. It may not be our lot to see our celebrity in letters rival that of our public polity and free institutions. But the time cannot be far distant. It is scarcely prophecy to declare that our children must and will enjoy it. They will see not merely the breathing marble, and the speaking picture among their arts, but science and learning everywhere paying a voluntary homage to American genius.

There is, indeed, enough in our past history to flatter our pride and encourage our exertions. We are of the lineage of the Saxons, the countrymen of Bacon, Locke, and Newton, as well as of Washington, Franklin, and Fulton. We have read the history of our forefathers. They were men full of piety, and zeal, and an unconquerable love of liberty. They also loved human learning, and deemed it second only to divine. Here, on this very spot, in the bosom of the wilderness, within ten short years after their voluntary exile, in the midst of cares, and privations, and sufferings, they found time to rear a little school, and dedicate it to God and the Church. It has grown; it has flourished; it is the venerable university, to whose walls her grateful children annually come with more than filial affection. The sons of such ancestors can never dishonor their memories;

the pupils of such schools can never be indifferent to the cause of letters.

There is yet more in our present circumstances to inspire us with a wholesome consciousness of our powers and our destiny. We have just passed the jubilee of our independence, and witnessed the prayers and gratitude of millions ascending to heaven for our public and private blessings. That independence was the achievement, not of faction and ignorance, but of hearts as pure, and minds as enlightened, and judgments as sound, as ever graced the annals of mankind. Among the leaders were statesmen and scholars, as well as heroes and patriots. We have followed many of them to the tomb, blest with the honors of their country. We have been privileged yet more; we have lived to witness an almost miraculous event in the departure of two great authors of our independence on that memorable and blessed day of jubilee.

I may not in this place presume to pronounce the funeral panegyric of these extraordinary men. It has been already done by some of the master spirits of our country, by men worthy of the task, worthy as Pericles to pronounce the honors of the Athenian dead. It was the beautiful saying of the Grecian orator, that: "This whole earth is the sepulchre of illustrious men. Nor is it the inscriptions on the columns in their native soil alone, that show their merit, but the memorial of them, better than all inscriptions, in every foreign nation, reposited more durably in universal remembrance than on their own tomb."

Such is the lot of Adams and Jefferson. They have lived, not for themselves, but for their country; not for their country alone, but for the world. They belong to history, as furnishing some of the best examples of disinterested and successful patriotism. They belong to posterity, as the instructors of all future ages in the principles of rational liberty and the rights of the people. They belong to us of the present age by their glory, by their virtues, and by their achievements. These are memorials which can never perish. They will brighten with the lapse of time, and, as they loom on the ocean of eternity, will seem present to the most distant generations of men. That voice of more than Roman eloquence, which urged and sustained the Declaration of Independence, that voice, whose first and whose last accents were for his country, is indeed mute. It will never again rise in defense of the weak against popular excitement, and vindicate the majesty of law and justice. It will never again

awaken a nation to arms to assert its liberties. It will never again instruct the public councils by its wisdom. It will never again utter its almost oracular thoughts in philosophical retirement. It will never again pour out its strains of parental affection, and in the domestic circle give new force and fervor to the consolations of religion. The hand, too, which inscribed the Declaration of Independence is indeed laid low. The weary head reposes on its mother earth. The mountain winds sweep by the narrow tomb, and all around has the loneliness of desolation. The stranger guest may no longer visit that hospitable home and find him there whose classical taste and various conversation lent a charm to every leisure hour; whose bland manners and social simplicity made every welcome doubly dear; whose expansive mind commanded the range of almost every art and science; whose political sagacity, like that of his illustrious coadjutor, read the fate and interests of nations, as with a second sight, and scented the first breath of tyranny in the passing gale; whose love of liberty, like his, was inflexible, universal, supreme; whose devotion to their common country, like his, never faltered in the worst, and never wearied in the best of times; whose public services ended but with life, carrying the long line of their illumination over sixty years; whose last thoughts exhibited the ruling passion of his heart, enthusiasm in the cause of education; whose last breathing committed his soul to God and his offspring to his country.

Yes, Adams and Jefferson are gone from us forever — gone, as a sunbeam to revisit its native skies — gone, as this mortal to put on immortality. Of them, of each of them, every American may exclaim: —

> "Ne'er to the chambers, where the mighty rest,
> Since their foundation, came a nobler guest;
> Nor e'er was to the bowers of bliss convey'd
> A fairer spirit, or more welcome shade."

We may not mourn over the departure of such men. We should rather hail it as a kind dispensation of Providence, to affect our hearts with new and livelier gratitude. They were not cut off in the blossom of their days, while yet the vigor of manhood flushed their cheeks and the harvest of glory was ungathered. They fell not as martyrs fall, seeing only in dim perspective the salvation of their country. They lived to enjoy the

blessings earned by their labors and to realize all which their fondest hopes had desired. The infirmities of life stole slowly and silently upon them, leaving still behind a cheerful serenity of mind. In peace, in the bosom of domestic affection, in the hallowed reverence of their countrymen, in the full possession of their faculties, they wore out the last remains of life, without a fear to cloud, with scarcely a sorrow to disturb its close. The joyful day of our jubilee came over them with its refreshing influence. To them, indeed, it was "a great and good day." The morning sun shone with softened lustre on their closing eyes. Its evening beams played lightly on their brows, calm in all the dignity of death. Their spirits escaped from these frail tenements without a struggle or a groan. Their death was gentle as an infant's sleep. It was a long, lingering twilight, melting into the softest shade.

Fortunate men, so to have lived and so to have died. Fortunate, to have gone hand in hand in the deeds of the Revolution. Fortunate, in the generous rivalry of middle life. Fortunate, in deserving and receiving the highest honors of their country. Fortunate, in old age to have rekindled their ancient friendship with a holier flame. Fortunate, to have passed through the dark valley of the shadow of death together. Fortunate, to be indissolubly united in the memory and affections of their countrymen. Fortunate, above all, in an immortality of virtuous fame, on which history may with severe simplicity write the dying encomium of Pericles, "No citizen, through their means, ever put on mourning."

I may not dwell on this theme. It has come over my thoughts, and I could not wholly suppress the utterance of them. It was my principal intention to hold them up to my countrymen, not as statesmen and patriots, but as scholars, as lovers of literature, as eminent examples of the excellence of the union of ancient learning with modern philosophy. Their youth was disciplined in classical studies; their active life was instructed by the prescriptive wisdom of antiquity; their old age was cheered by its delightful reminiscences. To them belongs the fine panegyric of Cicero: *Erant in eis plurimæ litteræ, nec eæ vulgares, sed interiores quædam, et reconditæ; divina memoria, summa verborum et gravitas et elegantia; atque hæc omnia vitæ decorabat dignitas et integritas.*

I will ask your indulgence only for a moment longer. Since our last anniversary, death has been unusually busy in thinning our numbers. I may not look on the right, or the left, without

missing some of those who stood by my side in my academic course, in the happy days spent within yonder venerable walls.

"These are counselors that feelingly persuade us what we are," and what we must be. Shaw and Salisbury are no more. The one, whose modest worth and ingenuous virtue adorned a spotless life; the other, whose social kindness and love of letters made him welcome in every circle. But what shall I say of Haven, with whom died a thousand hopes, not of his friends and family alone, but of his country. Nature had given him a strong and brilliant genius; and it was chastened and invigorated by grave, as well as elegant studies. Whatever belonged to human manners and pursuits, to human interests and feelings, to government, or science, or literature, he endeavored to master with a scholar's diligence and taste. Few men have read so much or so well. Few have united such manly sense with such attractive modesty. His thoughts and his style, his writings and his actions, were governed by a judgment in which energy was combined with candor, and benevolence with deep, unobtrusive, and fervid piety. His character may be summed up in a single line, for there—

"was given
To Haven every virtue under Heaven."

He had just arrived at the point of his professional career in which skill and learning begin to reap their proper reward. He was in possession of the principal blessings of life—of fortune, of domestic love, of universal respect. There are those who had fondly hoped when they should have passed away he might be found here to pay a humble tribute to their memory. To Providence it has seemed fit to order otherwise, that it might teach us "what shadows we are and what shadows we pursue." We may not mourn over such a loss as those who are without hope. That life is not too short which has accomplished its highest destiny; that spirit may not linger here, which is purified for immortality.

# THE EARL OF STRAFFORD

(1593–1641)

GEORGE VILLIERS, Duke of Buckingham, was stabbed by Felton on August 23d, 1628, the same year in which Thomas Wentworth made the radical change of base in politics as a result of which he gained the peerage as Earl of Strafford and lost his head as the minister and favorite of Charles I. Had Buckingham escaped assassination, it is probable that he would have been impeached and executed as a warning to the King who, understanding the danger, had already declared his readiness to die with him. As it was, Felton's knife, which saved Buckingham from the block, sent Strafford to it as his substitute.

Thomas Wentworth, who was born at London, April 15th, 1593, entered Parliament in 1614, and from that time until the death of Buckingham, he opposed the abuse of royal prerogative. Raised to the peerage and made President of the Council of the North in 1628, he thenceforth devoted his great abilities to defeating the plans of his late associates of the popular party. After serving as Privy Councilor and Lord Deputy for Ireland, he was created Earl of Strafford and Lord-Lieutenant of Ireland, in 1640. In the same year he commanded the royal forces against the Scotch insurgents, and in 1641 was executed on a bill of attainder, substituted by the House of Commons for impeachment proceedings which did not give a sufficient promise of securing his conviction. His speech to the House of Lords on the impeachment illustrates his remarkable eloquence, but his replies to charges in detail are historically unimportant, as the real charge against him was his defection from the side of the Commons to that of royal absolutism. For this he was decapitated May 12th, 1641, and thereafter the struggle which had been until then between Crown and Constitution became sharply defined as an issue between the Commons on the one side and «the gentlemen of England» on the other. The execution of Strafford forced, as it presaged that of Charles I., and made inevitable the reaction after the death of Cromwell, which once more gave the control of England to its hereditary landholders.

## HIS DEFENSE WHEN IMPEACHED FOR TREASON

(From the Speech Delivered before the House of Lords, April 13th, 1641)

*My Lords:—*

THIS day I stand before you charged with high treason. The burden of the charge is heavy, yet far the more so because it hath borrowed the authority of the House of Commons. If they were not interested, I might expect a no less easy than I do a safe issue. But let neither my weakness plead my innocence, nor their power my guilt. If your lordships will conceive of my defenses, as they are in themselves, without reference to either party,—and I shall endeavor so to present them,—I hope to go hence as clearly justified by you as I am now in the testimony of a good conscience by myself.

My lords, I have all along, during this charge, watched to see that poisoned arrow of Treason, which some men would fain have feathered in my heart; but, in truth, it hath not been my quickness to discover any such evil yet within my breast, though now, perhaps, by sinister information, sticking to my clothes.

They tell me of a twofold treason, one against the statute, another by the common law; this direct, that consecutive; this individual, that accumulative; this in itself, that by way of construction.

As to this charge of treason, I must and do acknowledge that if I had the least suspicion of my own guilt, I would save your lordships the pains. I would cast the first stone. I would pass the first sentence of condemnation against myself. And whether it be so or not, I now refer to your lordships' judgment and deliberation. You, and you only, under the care and protection of my gracious master, are my judges. Under favor, none of the Commons are my peers, nor can they be my judges. I shall ever celebrate the providence and wisdom of your noble ancestors, who have put the keys of life and death, so far as concerns you and your posterity, into your own hands. None but your own selves, my lords, know the rate of your noble blood, none but yourselves must hold the balance in disposing of the same. . . .

I pass, however, to consider these charges, which affirm that I have designed the overthrow both of religion and of the State.

The first charge seemeth to be used rather to make me odious than guilty; for there is ... the least proof alleged — nor

could there be any — concerning my confederacy with the popish faction. Never was a servant in authority under my lord and master more hated and maligned by these men than myself, and that for an impartial and strict execution of the laws against them; for observe, my lords, that the greater number of witnesses against me, whether from Ireland or from Yorkshire, were of that religion. But for my own resolution, I thank God every hour of the day to seal my dissatisfaction to the Church of Rome with my dearest blood.

Give me leave, my lords, here to pour forth the grief of my soul before you. These proceedings against me seem to be exceedingly rigorous and to have more of prejudice than of equity, that upon a supposed charge of hypocrisy or errors in religion, I should be made so odious to three kingdoms. A great many thousand eyes have seen my accusations, whose ears will never hear that when it came to the upshot those very things were not alleged against me! Is this fair dealing among Christians? But I have lost nothing by that. Popular applause was ever nothing in my conceit. The uprightness and integrity of a good conscience ever was and ever shall be my continued feast; and if I can be justified in your lordships' judgments from this great imputation, — as I hope I am, seeing these gentlemen have thrown down the bucklers, — I shall account myself justified by the whole kingdom, because absolved by you, who are the better part, the very soul and life of the kingdom.

As for my designs against the State, I dare plead as much innocency as in the matter of religion. I have ever admired the wisdom of our ancestors, who have so fixed the pillars of this monarchy that each of them keeps a due proportion and measure with the others — have so admirably bound together the nerves and sinews of the State that the straining of any one may bring danger and sorrow to the whole economy. The prerogative of the Crown and the propriety of the subject have such natural relations that this takes nourishment from that, and that foundation and nourishment from this. And so, as in the lute, if any one string be wound up too high or too low, you have lost the whole harmony, so here the excess of prerogative is oppression, of pretended liberty in the subject is disorder and anarchy. The prerogative must be used as God doth his omnipotence, upon extraordinary occasions; the laws must have place at all other times. As there must be prerogative because there must be

extraordinary occasions, so the propriety of the subject is ever to be maintained, if it go in equal pace with the other. They are fellows and companions that are, and ever must be, inseparable in a well-ordered kingdom; and no way is so fitting, so natural to nourish and entertain both, as the frequent use of parliaments, by which a commerce and acquaintance is kept up between the king and his subjects.

These thoughts have gone along with me these fourteen years of my public employments, and shall, God willing, go with me to the grave! God, his Majesty, and my own conscience, yea, and all of those who have been most accessory to my inward thoughts, can bear me witness that I ever did inculcate this, that the happiness of a kingdom doth consist in a just poise of the King's prerogative and the subject's liberty, and that things could never go well till these went hand in hand together. I thank God for it, by my master's favor, and the providence of my ancestors, I have an estate which so interests me in the commonwealth that I have no great mind to be a slave, but a subject. Nor could I wish the cards to be shuffled over again, in hopes to fall upon a better set; nor did I ever nourish such base and mercenary thoughts as to become a pander to the tyranny and ambition of the greatest man living. No! I have aimed and ever shall aim at a fair but bounded liberty; remembering always that I am a freeman, yet a subject — that I have rights, but under a monarch. It hath been my misfortune, now when I am gray-headed, to be charged by the mistakers of the times, who are so highly bent that all appears to them to be in the extreme for monarchy which is not for themselves. Hence it is that designs, words, yea, intentions, are brought out as demonstrations of my misdemeanors. Such a multiplying-glass is a prejudicate opinion!

The articles against me refer to expressions and actions — my expressions either in Ireland or in England, my actions either before or after these late stirs.

1. Some of the expressions referred to were uttered in private, and I do protest against their being drawn to my injury in this place. If, my lords, words spoken to friends in familiar discourse, spoken at one's table, spoken in one's chamber, spoken in one's sick-bed, spoken, perhaps, to gain better reason, to gain oneself more clear light and judgment by reasoning — if these things shall be brought against a man as treason, this (under

favor) takes away the comfort of all human society. By this means we shall be debarred from speaking — the principal joy and comfort of life — with wise and good men, to become wiser and better ourselves. If these things be strained to take away life and honor and all that is desirable, this will be a silent world! A city will become a hermitage, and sheep will be found among a crowd and press of people! No man will dare to express his solitary thoughts or opinions to his friends and neighbors!

Other expressions have been urged against me, which were used in giving counsel to the King. My lords, these words were not wantonly or unnecessarily spoken, or whispered in a corner; they were spoken in full council, when, by the duty of my oath, I was obliged to speak according to my heart and conscience in all things concerning the King's service. If I had forborne to speak what I conceived to be for the benefit of the King and the people, I had been perjured toward Almighty God. And for delivering my mind freely and openly, shall I be in danger of my life as a traitor? If that necessity be put upon me, I thank God, by his blessing, I have learned not to stand in fear of him who can only kill the body. If the question be whether I must be traitor to man or perjured to God, I will be faithful to my Creator. And whatsoever shall befall me from popular rage, or my own weakness, I must leave it to that Almighty Being and to the justice and honor of my judges.

My lords, I conjure you not to make yourselves so unhappy as to disable your lordships and your children from undertaking the great charge and trust of this Commonwealth. You inherit that trust from your fathers. You are born to great thoughts. You are nursed for the weighty employments of the kingdom. But if it be once admitted that a counselor, for delivering his opinion with others at the council board, *candidè et castè*, with candor and purity of motive, under an oath of secrecy and faithfulness, shall be brought into question upon some misapprehension or ignorance of law, — if every word that he shall speak from sincere and noble intentions shall be drawn against him for the attainting of him, his children, and posterity, — I know not (under favor I speak it) any wise or noble person of fortune who will, upon such perilous and unsafe terms, adventure to be counselor to the King. Therefore I beseech your lordships so to look on me that my misfortune may not bring an inconvenience

to yourselves. And though my words were not so advised and discreet, or so well weighed as they ought to have been, yet I trust that your lordships are too honorable and just to lay them to my charge as high treason. Opinions may make a heretic, but that they make a traitor I have never heard till now.

2. I am come next to speak of the actions which have been charged upon me.

[Here the Earl went through with the various overt acts alleged, and repeated the sum and heads of what had been spoken by him before. In respect to the twenty-eighth article, which charged him with "a malicious design to engage the kingdoms of England and Scotland in a national and bloody war," but which the managers had not urged in the trial, he added more at large, as follows:—]

If that one article had been proved against me, it contained more weighty matter than all the charges besides. It would not only have been treason, but villainy, to have betrayed the trust of his Majesty's army. But as the managers have been sparing, by reason of the times, as to insisting on that article, I have resolved to keep the same method, and not utter the least expression which might disturb the happy agreement intended between the two kingdoms. I only admire how I, being an incendiary against the Scots in the twenty-third article, am become a confederate with them in the twenty-eighth article! how I could be charged for betraying Newcastle, and also for fighting with the Scots at Newburne, since fighting against them was no possible means of betraying the town into their hands, but rather to hinder their passage thither! I never advised war any further than, in my poor judgment, it concerned the very life of the King's authority and the safety and honor of his kingdom. Nor did I ever see that any advantage could be made by a war with Scotland, where nothing could be gained but hard blows. For my part, I honor that nation, but I wish they may ever be under their own climate. I have no desire that they shall be too well acquainted with the better soil of England.

My lords, you see what has been alleged for this constructive, or, rather, destructive treason. For my part, I have not the judgment to conceive that such treason is agreeable to the fundamental grounds either of reason or of law. Not of reason, for how can that be treason in the lump or mass, which is not so in any of its parts? or how can that make a thing treasonable

which is not so in itself? Not of law since neither statute, common law, nor practice hath from the beginning of the government ever mentioned such a thing.

It is hard, my lords, to be questioned upon a law which cannot be shown! Where hath this fire lain hid for so many hundred years, without smoke to discover it, till it thus bursts forth to consume me and my children? My lords, do we not live under laws? and must we be punished by laws before they are made? Far better were it to live by no laws at all, but to be governed by those characters of virtue and discretion which nature hath stamped upon us, than to put this necessity of divination upon a man, and to accuse him of a breach of law before it is a law at all! If a waterman upon the Thames split his boat by grating upon an anchor, and the same have no buoy appended to it, the owner of the anchor is to pay the loss; but if a buoy be set there, every man passeth upon his own peril. Now where is the mark, where is the token set upon the crime, to declare it to be high treason?

My lords, be pleased to give that regard to the peerage of England as never to expose yourselves to such moot points, such constructive interpretations of law. If there must be a trial of wits, let the subject-matter be something else than the lives and honor of peers! It will be wisdom for yourselves and your posterity to cast into the fire these bloody and mysterious volumes of constructive and arbitrary treason, as the primitive Christians did their books of curious arts, and betake yourselves to the plain letter of the law and statute, which telleth what is and what is not treason, without being ambitious to be more learned in the art of killing than our forefathers. These gentlemen tell us that they speak in defense of the Commonwealth against my arbitrary laws. Give me leave to say it, I speak in defense of the Commonwealth against their arbitrary treason!

It is now full two hundred and forty years since any man was touched for this alleged crime to this height before myself. Let us not awaken those sleeping lions to our destruction, by taking up a few musty records that have lain by the walls for so many ages, forgotten or neglected.

My lords, what is my present misfortune may be forever yours! It is not the smallest part of my grief that not the crime of treason, but my other sins, which are exceeding many, have brought me to this bar; and, except your lordships' wisdom pro-

vide against it, the shedding of my blood may make way for the tracing out of yours. You, your estates, your posterity, lie at the stake!

For my poor self, if it were not for your lordships' interest, and the interest of a saint in heaven, who hath left me here two pledges on earth — (at this his breath stopped and he shed tears abundantly in mentioning his wife) — I should never take the pains to keep up this ruinous cottage of mine. It is loaded with such infirmities, that in truth I have no great pleasure to carry it about with me any longer. Nor could I ever leave it at a fitter time than this, when I hope that the better part of the world would perhaps think that by my misfortunes I had given a testimony of my integrity to my God, my king, my country. I thank God, I count not the afflictions of the present life to be compared to that glory which is to be revealed in the time to come!

My lords! my lords! my lords! something more I had intended to say, but my voice and my spirit fail me. Only I do in all humility and submission cast myself down at your lordships' feet, and desire that I may be a beacon to keep you from shipwreck. Do not put such rocks in your own way, which no prudence, no circumspection can eschew or satisfy, but by your utter ruin!

And so, my lords, even so, with all tranquillity of mind, I submit myself to your decision. And whether your judgment in my case — I wish it were not the case of you all — be for life or for death, it shall be righteous in my eyes, and shall be received with a *Te Deum laudamus!*

# CHARLES SUMNER

(1811–1874)

WEBSTER, Everett, and Sumner are the three most remarkable New England statesmen and orators of the nineteenth century. If, of the three, Webster alone had the genius which makes possible the sublimest achievements of eloquence, Everett had talents of almost universal adaptability, and Sumner a mind of such force and dignity that it would have made him a power in his generation, even if he had never attempted oratory at all. Although his eloquence was rather an achievement than a gift, he became by virtue of his great attainments one of the best representatives of the academic school of expression, to which he belonged. His wide reading, his controlling sympathy with books rather than with men, prevented him, as it has other great men, from achieving the popularity as an orator which might otherwise have accompanied his celebrity. At all times greatly admired for his moral courage and for the strength of his intellect, Sumner shows too much of the scholar in his expression to get at the masses who were moved to such enthusiastic admiration of Webster — to whom, in scholarship, Sumner was undoubtedly superior. As a champion of New England's opposition to slavery, he exercised a decisive influence at the gravest crisis of the struggle. The bitter debate with Douglas and Butler, which resulted in the assault on Sumner by Congressman Brooks, had almost, if not quite, as much to do with forcing the Civil War as the John Brown raid itself.

Born in Boston, January 6th, 1811, and graduating from Harvard in 1830, Sumner received his most decided political bent from the events connected with the invasion of Mexico. This was the inspiration for his address on 'The True Grandeur of Nations,' and it sent him first into the Free Soil movement and then into the Republican party.

He was elected to the United States Senate from Massachusetts in 1851, and he took at once a position of leadership which he held without difficulty until the issues presented by slavery were finally disposed of by the Civil War amendments to the Federal Constitution.

In 1871, he was an aggressive opponent of President Grant's attempt to annex San Domingo. During the remainder of his public

life he was aggressively opposed to the "Stalwart" element of the party, and in 1872 he worked to prevent Grant's re-election. He died in 1874. His collected works, in fifteen volumes, attest the strength of his intellect and the variety of its activities.

## THE TRUE GRANDEUR OF NATIONS

(From an Address Delivered in Boston, July 4th, 1845)

IT IS in obedience to an uninterrupted usage in our community that, on this Sabbath of the Nation, we have all put aside the common cares of life, and seized a respite from the never-ending toils of labor, to meet in gladness and congratulation, mindful of the blessings transmitted from the past, mindful also, I trust, of the duties to the present and the future. May he who now addresses you be enabled so to direct your minds that you shall not seem to have lost a day!

All hearts first turn to the Fathers of the Republic. Their venerable forms rise before us, and we seem to behold them in the procession of successive generations. They come from the frozen rock of Plymouth, from the wasted bands of Raleigh, from the heavenly companionship of William Penn, from the anxious councils of the Revolution, and from all those fields of sacrifice, on which, in obedience to the spirit of their age, they sealed their devotion to duty with their blood. They seem to speak to us, their children: "Cease to vaunt yourselves of what you do and of what has been done for you. Learn to walk humbly, and to think meekly of yourselves. Cultivate habits of self-sacrifice and of devotion to duty. May our words be always in your minds. Never aim at aught which is not right, persuaded that without this every possession and all knowledge will become an evil and a shame. Strive to increase the inheritance which we have bequeathed; know that if we excel you in virtue, such a victory will be to us a mortification, while defeat will bring happiness. It is in this way that you may conquer us. Nothing is more shameful to a man than to found his title to esteem, not on his own merits, but on the fame of his ancestors. The glory of the fathers is doubtless to their children a most precious treasure; but to enjoy it without transmitting it to the next generation, and without adding to it yourselves, this is the height of

imbecility. Following these counsels, when your days shall be finished on earth, you will come to join us, and we shall receive you as friends receive friends; but if you neglect our words, expect no happy greeting then from us."

Honor to the memory of our Fathers! May the turf lie gently on their sacred graves! But let us not in words only, but in deeds also, testify our reverence for their name. Let us imitate what in them was lofty, pure, and good; let us from them learn to bear hardship and privation. Let us, who now reap in strength what they sowed in weakness, study to enhance the inheritance we have received. To do this we must not fold our hands in slumber, nor abide content with the past. To each generation is committed its peculiar task; nor does the heart, which responds to the call of duty, find rest except in the world to come.

Be ours, then, the task which, in the order of Providence, has been cast upon us! And what is this task? How shall we best perform the part assigned to us? What can we do to make our coming welcome to our fathers in the skies, and to draw to our memory hereafter the homage of a grateful posterity? How can we add to the inheritance we have received? The answers to these questions cannot fail to interest all minds, particularly on this anniversary of the birthday of our country. Nay, more; it becomes us, on this occasion, as patriots and citizens, to turn our thoughts inward, as the good man dedicates his birthday to the consideration of his character and the mode in which its vices may be corrected and its virtues strengthened. Avoiding, then, all exultation in the prosperity that has enriched our land, and in the extending influence of the blessings of freedom, let us consider what we can do to elevate our character, to add to the happiness of all, and to attain to that righteousness which exalteth a nation. In this spirit, I propose to inquire what, in our age, are the true objects of national ambition — what is truly national glory — national honor — what is the true grandeur of nations.

I hope to rescue these terms, so powerful over the minds of men, from the mistaken objects to which they are applied, from deeds of war and the extension of empire, that henceforward they may be attached only to acts of justice and humanity.

The subject will raise us to the contemplation of things that are not temporary or local in their character, but which belong

to all ages and all countries; which are as lofty as truth, as universal as humanity. But it derives a peculiar interest, at this moment, from transactions in which our country has become involved. On the one side, by an act of unjust legislation, extending our power over Texas, we have endangered peace with Mexico; while on the other, by a presumptuous assertion of a disputed claim to a worthless territory beyond the Rocky Mountains, we have kindled anew on the hearth of our mother country the smothered fires of hostile strife. Mexico and England both aver the determination to vindicate what is called the national honor; and the dread arbitrament of war is calmly contemplated by our Government, provided it cannot obtain what is called an honorable peace.

Far be from our country and our age the sin and shame of contests hateful in the sight of God and all good men, having their origin in no righteous though mistaken sentiment, in no true love of country, in no generous thirst for fame, that last infirmity of noble minds, but springing in both cases from an ignorant and ignoble passion for new territories; strengthened in one case, by an unnatural desire, in this land of boasted freedom, to fasten by new links the chains which promise soon to fall from the limbs of the unhappy slave! In such contests, God has no attribute which can join with us. Who believes that the national honor will be promoted by a war with Mexico or England? What just man would sacrifice a single human life to bring under our rule both Texas and Oregon? It was an ancient Roman, touched, perhaps, by a transient gleam of Christian truth, who said, when he turned aside from a career of Asiatic conquest, that he would rather save the life of a single citizen than become master of all the dominions of Mithridates.

A war with Mexico would be mean and cowardly; but with England it would be at least bold, though parricidal. The heart sickens at the murderous attack upon an enemy, distracted by civil feuds, weak at home, impotent abroad; but it recoils in horror from the deadly shock between children of a common ancestry, speaking the same language, soothed in infancy by the same words of love and tenderness, and hardened into vigorous manhood under the bracing influence of institutions drawn from the same ancient founts of freedom. *Curam acuebat, quod adversus Latinos bellandum erat, linguâ, moribus, armorum genere, institutis ante omnia militaribus congruentes; milites militibus,*

*centurionibus centuriones, tribuni tribunis compares, collegæque, iisdem præsidiis, sæpe iisdem manipulis permixti fuerant.*

In our age there can be no peace that is not honorable; there can be no war that is not dishonorable. The true honor of a nation is to be found only in deeds of justice and in the happiness of its people, all of which are inconsistent with war. In the clear eye of Christian judgment vain are its victories; infamous are its spoils. He is the true benefactor and alone worthy of honor who brings comfort where before was wretchedness; who dries the tear of sorrow; who pours oil into the wounds of the unfortunate; who feeds the hungry and clothes the naked; who unlooses the fetters of the slave; who does justice; who enlightens the ignorant; who enlivens and exalts, by his virtuous genius, in art, in literature, in science, the hours of life; who, by words or actions, inspires a love for God and for man. This is the Christian hero; this is the man of honor in a Christian land. He is no benefactor, nor deserving of honor, whatever may be his worldly renown, whose life is passed in acts of force; who renounces the great law of Christian brotherhood; whose vocation is blood; who triumphs in battle over his fellow-men. Well may old Sir Thomas Browne exclaim: "The world does not know its greatest men"; for thus far it has chiefly discerned the violent brood of battle, the armed men springing up from the dragon's teeth sown by Hate, and cared little for the truly good men, children of Love, Cromwells guiltless of their country's blood, whose steps on earth have been as noiseless as an angel's wing.

. . . . . .

Thus far mankind has worshiped in military glory an idol compared with which the colossal images of ancient Babylon or modern Hindostan are but toys; and we, in this blessed day of light, in this blessed land of freedom, are among the idolaters. The heaven-descended injunction, "Know thyself," still speaks to an ignorant world from the distant letters of gold at Delphi; know thyself; know that the moral nature is the most noble part of man; transcending far that part which is the seat of passion, strife, and war; nobler than the intellect itself. Suppose war to be decided by force, where is the glory? Suppose it to be decided by chance, where is the glory? No; true greatness consists in imitating, as near as is possible for finite man, the perfections of an Infinite Creator; above all, in cultivating those highest perfections, justice and love; justice, which like that of St. Louis,

shall not swerve to the right hand or to the left; love, which like that of William Penn, shall regard all mankind of kin. "God is angry," says Plato, "when any one censures a man like himself, or praises a man of an opposite character. And the Godlike man is the good man." And again, in another of those lovely dialogues, vocal with immortal truth, "Nothing resembles God more than that man among us who has arrived at the highest degree of justice." The true greatness of nations is in those qualities which constitute the greatness of the individual. It is not to be found in extent of territory, nor in vastness of population, nor in wealth; not in fortifications, or armies, or navies; not in the phosphorescent glare of fields of battle; not in Golgothas, though covered by monuments that kiss the clouds; for all these are the creatures and representatives of those qualities of our nature which are unlike anything in God's nature.

Nor is the greatness of nations to be found in triumphs of the intellect alone, in literature, learning, science, or art. The polished Greeks, the world's masters in the delights of language, and in range of thought, and the commanding Romans, overawing the earth with their power, were little more than splendid savages; and the age of Louis XIV., of France, spanning so long a period of ordinary worldly magnificence, thronged by marshals bending under military laurels, enlivened by the unsurpassed comedy of Molière, dignified by the tragic genius of Corneille, illumined by the splendors of Bossuet, is degraded by immoralities that cannot be mentioned without a blush, by a heartlessness in comparison with which the ice of Nova Zembla is warm, and by a succession of deeds of injustice not to be washed out by the tears of all the recording angels of heaven.

The true greatness of a nation cannot be in triumphs of the intellect alone. Literature and art may widen the sphere of its influence; they may adorn it; but they are in their nature but accessories. The true grandeur of humanity is in moral elevation, sustained, enlightened, and decorated by the intellect of man. The truest tokens of this grandeur in a state are the diffusion of the greatest happiness among the greatest number, and that passionless Godlike justice, which controls the relations of the state to other states, and to all the people who are committed to its charge.

But war crushes with bloody heel all justice, all happiness, all that is Godlike in man. "It is," says the eloquent Robert Hall,

"the temporary repeal of all the principles of virtue." True, it cannot be disguised that there are passages in its dreary annals cheered by deeds of generosity and sacrifice. But the virtues which shed their charm over its horrors are all borrowed of peace; they are emanations of the spirit of love, which is so strong in the heart of man that it survives the rudest assaults. The flowers of gentleness, of kindliness, of fidelity, of humanity, which flourish in unregarded luxuriance in the rich meadows of peace, receive unwonted admiration when we discern them in war, like violets shedding their perfume on the perilous edges of the precipice beyond the smiling borders of civilization. God be praised for all the examples of magnanimous virtue which he has vouchsafed to mankind! God be praised that the Roman emperor, about to start on a distant expedition of war, encompassed by squadrons of cavalry and by golden eagles which moved in the winds, stooped from his saddle to listen to the prayer of the humble widow, demanding justice for the death of her son! God be praised that Sydney, on the field of battle, gave with dying hand the cup of cold water to the dying soldier! That single act of self-forgetful sacrifice has consecrated the fenny field of Zutphen, far, oh! far beyond its battle; it has consecrated thy name, gallant Sydney, beyond any feat of thy sword, beyond any triumph of thy pen. But there are hands outstretched elsewhere than on fields of blood, for so little as a cup of cold water; the world is full of opportunities for deeds of kindness. Let me not be told, then, of the virtues of war. Let not the acts of generosity and sacrifice, which have triumphed on its fields, be invoked in its defense. In the words of Oriental imagery, the poisonous tree, though watered by nectar, can produce only the fruit of death!

As we cast our eyes over the history of nations, we discern with horror the succession of murderous slaughters by which their progress has been marked. As the hunter traces the wild beast, when pursued to his lair, by the drops of blood on the earth, so we follow man, faint, weary, staggering with wounds, through the black forest of the past, which he has reddened with his gore. Oh! let it not be in the future ages as in those which we now contemplate. Let the grandeur of man be discerned in the blessings which he has secured; in the good he has accomplished; in the triumphs of benevolence and justice; in the establishment of perpetual peace.

As the ocean washes every shore and clasps with all-embracing arms every land, while it bears on its heaving bosom the products of various climes, so peace surrounds, protects, and upholds all other blessings. Without it commerce is vain, the ardor of industry is restrained, happiness is blasted, virtue sickens and dies! And peace has its own peculiar victories, in comparison with which Marathon and Bannockburn and Bunker Hill, fields held sacred in the history of human freedom, shall lose their lustre. Our own Washington rises to a truly heavenly stature — not when we follow him over the ice of the Delaware to the capture of Trenton — not when we behold him victorious over Cornwallis at Yorktown; but when we regard him, in noble deference to justice, refusing the kingly crown which a faithless soldiery proffered, and at a later day, upholding the peaceful neutrality of the country, while he received unmoved the clamor of the people wickedly crying for war. What glory of battle in England's annals will not fade by the side of that great act of justice, by which her legislature, at a cost of one hundred million dollars, gave freedom to eight hundred thousand slaves! And when the day shall come (May these eyes be gladdened by its beams!) that shall witness an act of greater justice still, the peaceful emancipation of three millions of our fellow-men, "guilty of a skin not colored as our own," now held in gloomy bondage, under the Constitution of our country, then shall there be a victory, in comparison with which that of Bunker Hill shall be as a farthing candle held up to the sun. That victory shall need no monument of stone. It shall be written on the grateful hearts of uncounted multitudes, that shall proclaim it to the latest generation. It shall be one of the great landmarks of civilization; nay, more, it shall be one of the links in the golden chain by which humanity shall connect itself with the throne of God.

As the cedars of Lebanon are higher than the grass of the valley; as the heavens are higher than the earth; as man is higher than the beasts of the field; as the angels are higher than man; as he that ruleth his spirit is higher than he that taketh a city; so are the virtues and victories of peace higher than the virtues and victories of war.

Far be from us, fellow-citizens, on this anniversary, the illusions of national freedom in which we are too prone to indulge. We have but half done, when we have made ourselves free. Let

not the scornful taunt be directed at us: "They wish to be free; but know not how to be just." Freedom is not an end in itself; but a means only; a means of securing justice and happiness, the real end and aim of states, as of every human heart. It becomes us to inquire earnestly if there is not much to be done by which these can be promoted. If I have succeeded in impressing on your minds the truths, which I have upheld to-day, you will be ready to join in efforts for the abolition of war, and of all preparations for war, as indispensable to the true grandeur of our country.

To this great work let me summon you. That future which filled the lofty visions of the sages and bards of Greece and Rome, which was foretold by the prophets and heralded by the evangelists, when man in happy isles, or in a new paradise, shall confess the loveliness of peace, may be secured by your care, if not for yourselves, at least for your children. Believe that you can do it, and you can do it. The true golden age is before you, not behind you. If man has been driven once from Paradise, while an angel with a flaming sword forbade his return, there is another Paradise, even on earth, which he may form for himself, by the cultivation of the kindly virtues of life, where the confusion of tongues shall be dissolved in the union of hearts, where there shall be a perpetual jocund spring, and sweet strains borne on the "odoriferous wings of gentle gales," more pleasant than the Vale of Tempe, richer than the Garden of the Hesperides, with no dragon to guard its golden fruit.

Let it not be said that the age does not demand this work. The mighty conquerors of the past, from their fiery sepulchres, demand it; the blood of millions unjustly shed in war crying from the ground demands it; the voices of all good men demand it; the conscience even of the soldier whispers "peace." There are considerations, springing from our situation and condition, which fervently invite us to take the lead in this great work. To this should bend the patriotic ardor of the land; the ambition of the statesman; the efforts of the scholar; the pervasive influence of the press; the mild persuasion of the sanctuary; the early teachings of the school. Here, in ampler ether and diviner air, are untried fields for exalted triumphs, more truly worthy the American name than any snatched from rivers of blood. War is known as the last reason of kings. Let it be no reason of our

republic. Let us renounce and throw off forever the yoke of a tyranny more oppressive than any in the annals of the world. As those standing on the mountain tops first discern the coming beams of morning, let us, from the vantage ground of liberal institutions, first recognize the ascending sun of a new era! Lift high the gates, and let the King of glory in — the King of true glory — of peace. I catch the last words of music from the lips of innocence and beauty —

"And let the whole earth be filled with his glory!"

It is a beautiful picture in Grecian story, that there was at least one spot, the small island of Delos, dedicated to the gods, and kept at all times sacred from war, where the citizens of hostile countries met and united in a common worship. So let us dedicate our broad country! The temple of honor shall be surrounded by the temple of concord, so that the former can be entered only through the portals of the latter; the horn of abundance shall overflow at its gates; the angel of religion shall be the guide over its steps of flashing adamant; while within, justice, returned to the earth from her long exile in the skies, shall rear her serene and majestic front. And the future chiefs of the republic, destined to uphold the glories of a new era, unspotted by human blood, shall be "the first in peace, and the first in the hearts of their countrymen."

But while we seek these blissful glories for ourselves, let us strive to extend them to other lands. Let the bugles sound the truce of God to the whole world forever. Let the selfish boast of the Spartan woman become the grand chorus of mankind, that they have never seen the smoke of an enemy's camp. Let the iron belt of martial music which now encompasses the earth be exchanged for the golden cestus of peace, clothing all with celestial beauty. History dwells with fondness on the reverent homage that was bestowed by massacring soldiers on the spot occupied by the sepulchre of the Lord. Vain man! to restrain his regard to a few feet of sacred mold! The whole earth is the sepulchre of the Lord, nor can any righteous man profane any part thereof. Let us recognize this truth; and now, on this sabbath of our country, lay a new stone in the grand temple of universal peace, whose dome shall be as lofty as the firmament of heaven, as broad and comprehensive as the earth itself.

## DENOUNCING DOUGLAS AND BUTLER

(From the Debate on Kansas in the United States Senate, May 20th, 1856)

IN NOW opening this great matter, I am not insensible to the austere demands of the occasion; but the dependence of the crime against Kansas upon the slave power is so peculiar and important, that I trust to be pardoned while I impress its meaning with an illustration, which to some may seem trivial. It is related in Northern mythology that the god of Force, visiting an enchanted region, was challenged by his royal entertainer to what seemed an humble feat of strength — merely, sir, to lift a cat from the ground. The god smiled at the challenge, and, calmly placing his hand under the belly of the animal, with superhuman strength strove, while the back of the feline monster arched far upward, even beyond reach, and one paw actually forsook the earth, until at last the discomfited divinity desisted; but he was little surprised at his defeat when he learned that this creature, which seemed to be a cat, and nothing more, was not merely a cat, but that it belonged to and was a part of the great Terrestrial Serpent, which, in its innumerable folds, encircled the whole globe. Even so the creature, whose paws are now fastened upon Kansas, whatever it may seem to be, constitutes in reality a part of the slave power, which, in its loathsome folds, is now coiled about the whole land. Thus do I expose the extent of the present contest, where we encounter not merely local resistance, but also the unconquered sustaining arm behind. But out of the vastness of the crime attempted, with all its woe and shame, I derive a well-founded assurance of a commensurate vastness of effort against it by the aroused masses of the country, determined not only to vindicate Right against Wrong, but to redeem the Republic from the thraldom of that Oligarchy which prompts, directs, and concentrates the distant wrong. . . .

But, before entering upon the argument, I must say something of a general character, particularly in response to what has fallen from Senators who have raised themselves to eminence on this floor in championship of human wrongs. I mean the Senator from South Carolina [Mr. Butler], and the Senator from Illinois [Mr. Douglas], who, though unlike as Don Quixote and Sancho Panza, yet, like this couple, sally forth together in the

same adventure. I regret much to miss the elder Senator from his seat; but the cause, against which he has run atilt, with such activity of animosity, demands that the opportunity of exposing him should not be lost; and it is for the cause that I speak. The Senator from South Carolina has read many books of chivalry, and believes himself a chivalrous knight, with sentiments of honor and courage. Of course he has chosen a mistress to whom he has made his vows, and who, though ugly to others, is always lovely to him; though polluted in the sight of the world, is chaste in his sight — I mean the harlot, Slavery. For her, his tongue is always profuse in words. Let her be impeached in character, or any proposition made to shut her out from the extension of her wantonness, and no extravagance of manner or hardihood of assertion is then too great for this Senator. The frenzy of Don Quixote, in behalf of his wench, Dulcinea del Toboso, is all surpassed. The asserted rights of Slavery, which shock equality of all kinds, are cloaked by a fantastic claim of equality. If the slave States cannot enjoy what, in mockery of the great fathers of the Republic, he misnames equality under the Constitution — in other words, the full power in the National Territories to compel fellow-men to unpaid toil, to separate husband and wife, and to sell little children at the auction block — then, sir, the chivalric Senator will conduct the State of South Carolina out of the Union! Heroic knight! Exalted Senator! A second Moses come for a second exodus!

But not content with this poor menace, which we have been twice told was "measured," the Senator, in the unrestrained chivalry of his nature, has undertaken to apply opprobrious words to those who differ from him on this floor. He calls them "sectional and fanatical"; and opposition to the usurpation in Kansas he denounces as "an uncalculating fanaticism." To be sure these charges lack all grace of originality, and all sentiment of truth; but the adventurous Senator does not hesitate. He is the uncompromising, unblushing representative on this floor of a flagrant sectionalism, which now domineers over the Republic, and yet with a ludicrous ignorance of his own position — unable to see himself as others see him — or with an effrontery which even his white head ought not to protect from rebuke, he applies to those here who resist his sectionalism the very epithet which designates himself. The men who strive to bring back the government to its original policy, when Freedom and not Slavery was sectional,

he arraigns as sectional. This will not do. It involves too great a perversion of terms. I tell that Senator that it is to himself, and to the "organization" of which he is the "committed advocate," that this epithet belongs. I now fasten it upon them. . . . . .

As the Senator from South Carolina is the Don Quixote, the Senator from Illinois [Mr. Douglas] is the Squire of slavery, its very Sancho Panza, ready to do all its humiliating offices. This Senator, in his labored address, vindicating his labored report — piling one mass of elaborate error upon another mass — constrained himself, as you will remember, to unfamiliar decencies of speech. Of that address I have nothing to say at this moment, though before I sit down I shall show something of its fallacies. But I go back now to an earlier occasion, when, true to his native impulses, he threw into this discussion, "for a charm of powerful trouble," personalities most discreditable to this body. I will not stop to repel the imputations which he cast upon myself; but I mention them to remind you of the "sweltered venom sleeping got," which, with other poisoned ingredients, he cast into the caldron of this debate. Of other things I speak. Standing on this floor, the Senator issued his rescript, requiring submission to the usurped power of Kansas; and this was accompanied by a manner — all his own — such as befits the tyrannical threat. Very well. Let the Senator try. I tell him now that he cannot enforce any such submission. The Senator, with the slave power at his back, is strong; but he is not strong enough for this purpose. He is bold. He shrinks from nothing. Like Danton, he may cry: "*L'audace! l'audace! toujours l'audace!*" but even his audacity cannot compass this work. The Senator copies the British officer who, with boastful swagger, said that with the hilt of his sword he would cram the "stamps" down the throats of the American people, and he will meet a similar failure. He may convulse this country with a civil feud. Like the ancient madman, he may set fire to this Temple of Constitutional Liberty, grander than the Ephesian dome; but he cannot enforce obedience to that tyrannical usurpation. . . .

The contest, which, beginning in Kansas, has reached us will soon be transferred from Congress to a broader stage, where every citizen will be not only spectator, but actor; and to their judgment I confidently appeal. To the people, now on the eve of exercising the electoral franchise, in choosing a Chief Magistrate

of the Republic, I appeal, to vindicate the electoral franchise in Kansas. Let the ballot box of the Union, with multitudinous might, protect the ballot box in that Territory. Let the voters everywhere, while rejoicing in their own rights help to guard the equal rights of distant fellow-citizens; that the shrines of popular institutions, now desecrated, may be sanctified anew; that the ballot box now plundered may be restored; and that the cry, "I am an American citizen," may not be sent forth in vain against outrage of every kind. In just regard for free labor in that Territory, which it is sought to blast by unwelcome association with slave labor; in Christian sympathy with the slave, whom it is proposed to task and sell there; in stern condemnation of the crime which has been consummated on that beautiful soil; in rescue of fellow-citizens now subjugated to a tyrannical usurpation; in dutiful respect for the early fathers, whose aspirations are now ignobly thwarted; in the name of the Constitution, which has been outraged — of the laws trampled down — of justice banished — of humanity degraded — of peace destroyed — of freedom crushed to earth; and, in the name of the Heavenly Father, whose service is perfect freedom, I make this last appeal.

Mr. Cass — I have listened with equal regret and surprise to the speech of the honorable Senator from Massachusetts — such a speech, the most un-American and unpatriotic that ever grated on the ears of the members of this high body, as I hope never to hear again, here or elsewhere. . . .

Mr. Douglas — I shall not detain the Senate by a detailed reply to the speech of the Senator from Massachusetts. Indeed, I should not deem it necessary to say one word, but for the personalities in which he has indulged, evincing a depth of malignity that issued from every sentence, making it a matter of self-respect with me to repel the assaults which have been made. . . .

I am in doubt as to what can be his object. He has not hesitated to charge three-fourths of the Senate with fraud, with swindling, with crime, with infamy, at least one hundred times over in his speech. Is it his object to provoke some of us to kick him as we would a dog in the street, that he may get sympathy upon the just chastisement? What is the object of this denunciation against the body of which we are members? A hundred times he has called the Nebraska Bill a "swindle," an act of crime, an act of infamy, and each time went on to illustrate the complicity of each man who voted for it in perpetrating the

crime. He has brought it home as a personal charge to those who passed the Nebraska Bill, that they were guilty of a crime which deserved the just indignation of heaven and should make them infamous among men.

Who are the Senators thus arraigned? He does me the honor to make me the chief. It was my good luck to have such a position in this body as to enable me to be the author of a great, wise measure, which the Senate has approved and the country will indorse. That measure was sustained by about three-fourths of all the members of the Senate. It was sustained by a majority of the Democrats and a majority of the Whigs in this body. It was sustained by a majority of Senators from the slaveholding States, and a majority of Senators from the free States. The Senator, by his charge of crime, then, stultifies three-fourths of the whole body, a majority of the North, nearly the whole South, a majority of Whigs, and a majority of Democrats here. He says they are infamous. If he so believed, who could suppose that he would ever show his face among such a body of men? How dare he approach one of those gentlemen to give him his hand after that act? If he felt the courtesies between men, he would not do it. He would deserve to have himself spit in the face for doing so.

The charge is made against the body of which we are members. It is not a charge made in the heat of debate. It is not made as a retort growing out of excited controversy. If it were of that nature I could make much allowance for it. I can pay great deference to the frailties and the impulses of an honorable man, when indignant at what he considers to be a wrong. If the Senator, betraying that he was susceptible of just indignation, had been goaded, provoked, and aggravated on the spur of the moment into the utterance of harsh things, and then had apologized for them in his cooler hours, I could respect him much more than if he had never made such a departure from the rules of the Senate, because it would show that he had a heart to appreciate what is due among brother Senators and gentlemen. But, sir, it happens to be well known—it has been the subject of conversation for weeks, that the Senator from Massachusetts has had his speech written, printed, committed to memory, practiced every night before the glass with a negro boy to hold the candle and watch the gestures, and has been thus annoying boarders in adjoining rooms until they were forced to

quit the house. It was rumored that he read parts of it to friends and they repeated in all the saloons and places of amusement in the city what he was going to say. The libels and gross insults we have heard to-day have been conned over, written with cool, deliberate malignity, repeated from night to night in order to catch the appropriate grace, and then he came here to spit forth that malignity upon men who differ from him — for that is their offense!

The attack of the Senator from Massachusetts now is not on me alone. Even the courteous and the accomplished Senator from South Carolina [Mr. Butler] could not be passed by in his absence.

Mr. Mason — Advantage was taken of it.

Mr. Douglas — It is suggested that advantage is taken of his absence. I think that this is a mistake. I think the speech was written and practiced, and the gestures fixed; and if that part had been stricken out the Senator would not have known how to repeat the speech. All that tirade of abuse must be brought down on the head of the venerable, the courteous, and the distinguished Senator from South Carolina. I shall not defend that gentleman here. Every Senator who knows him loves him. The Senator from Massachusetts may take every charge made against him in his speech, and may verify each by his oath, and by the oath of every one of his confederates, and there is not an honest man in this Chamber who will not repel it as a slander. Your oaths cannot make a Senator feel that it was not an outrage to assail that honorable gentleman in the terms in which he has been attacked. He, however, will be here in due time to speak for himself, and to act for himself too. I know what will happen. The Senator from Massachusetts will go to him, whisper a secret apology in his ear, and ask him to accept that as satisfaction for a public outrage on his character! I know the Senator from Massachusetts is in the habit of doing those things. I have had some experience of his skill in that respect. The Senator has also made an assault on the late President of the Senate, General Atchison, a man of as kind a nature, of as genuine and true a heart as ever animated a human soul. . . .

Why these attacks on individuals by name, and two-thirds of the Senate collectively? Is it the object to drive men here to dissolve social relations with political opponents? Is it to turn the Senate into a bear garden, where Senators cannot associate on

terms which ought to prevail between gentlemen? These attacks are heaped upon me by man after man. When I repel them, it is intimated that I show some feeling on the subject. Sir, God grant that when I denounce an act of infamy I shall do it with feeling, and do it under the sudden impulses of feeling, instead of sitting up at night writing out my denunciation of a man whom I hate, copying it, having it printed, punctuating the proof-sheets, and repeating it before the glass, in order to give refinement to insult, which is only pardonable when it is the outburst of a just indignation.

Mr. President, I shall not occupy the time of the Senate. I dislike to be forced to repel these attacks upon myself, which seem to be repeated on every occasion. It appears that gentlemen on the other side of the Chamber think they would not be doing justice to their cause if they did not make myself a personal object of bitter denunciation and malignity. I hope that the debate on this bill may be brought to a close at as early a day as possible. I shall do no more in these side discussions than vindicate myself and repel unjust attacks, but I shall ask the Senate to permit me to close the debate, when it shall close, in a calm, kind summary of the whole question, avoiding personalities.

Mr. Sumner — Mr. President, to the Senator from Illinois, I should willingly leave the privilege of the common scold — the last word; but I will not leave to him, in any discussion with me, the last argument, or the last semblance of it. He has crowned the audacity of this debate by venturing to rise here and calumniate me. He said that I came here, took an oath to support the Constitution, and yet determined not to support a particular clause in that Constitution. To that statement I give, to his face, the flattest denial. When it was made on a former occasion on this floor by the absent Senator from South Carolina [Mr. Butler], I then repelled it. . . .

Sir, this is the Senate of the United States, an important body, under the Constitution, with great powers. Its members are justly supposed, from age, to be above the intemperance of youth, and from character to be above the gusts of vulgarity. They are supposed to have something of wisdom and something of that candor which is the handmaid of wisdom. Let the Senator bear these things in mind, and let him remember hereafter that the bowie knife and bludgeon are not the proper emblems of senatorial debate. Let him remember that the swagger of

Bob Acres and the ferocity of the Malay cannot add dignity to this body. The Senator has gone on to infuse into his speech the venom which has been sweltering for months — aye, for years; and he has alleged facts that are entirely without foundation, in order to heap upon me some personal obloquy. I will not go into the details which have flowed out so naturally from his tongue. I only brand them to his face as false. I say also to that Senator, and I wish him to bear it in mind, that no person with the upright form of man — [Here the speaker hesitated.]

Mr. Douglas — Say it!

Mr. Sumner — I will say it! No person with the upright form of man can be allowed without the violation of all decency to switch out from his tongue the perpetual stench of offensive personality. Sir, this is not a proper weapon of debate, at least, on this floor! The noisesome, squat, and nameless animal to which I now refer is not a proper model for an American Senator. Will the Senator from Illinois take notice!

Mr. Douglas — I will, and therefore will not imitate you, sir.

Mr. Sumner — I did not hear the Senator.

Mr. Douglas — I said, if that be the case I would certainly never imitate you in that capacity, recognizing the force of the illustration.

Mr. Sumner — Mr. President, again the Senator has switched his tongue, and again he fills the chamber with its offensive odor.

I pass from the Senator from Illinois. There is still another, the Senator from Virginia, who is now also in my eye. That Senator said nothing of argument, and there is therefore nothing of that for response. I simply say to him that hard words are not argument, frowns not reasons; nor do scowls belong to the proper arsenals of parliamentary debate. The Senator has not forgotten that on a former occasion I did something to exhibit on this floor the plantation manners he displayed. I will not do any more now!

Mr. Mason — Manners of which the Senator is unconscious.

Mr. Douglas — I am not going to pursue this subject further. I will only say that a man who has been branded by me in the Senate, and convicted by the Senate of falsehood, cannot use language requiring reply, and therefore I have nothing more to say.

# SIR THOMAS NOON TALFOURD

(1795–1854)

SIR THOMAS NOON TALFOURD, author of 'Ion,' was a lawyer of great ability, as well as a poet and essayist. In 1841 when Moxon, the London bookseller, was indicted for publishing Shelley's works, Talfourd defended him in a speech which is one of the most remarkable in its way ever delivered in a law court. Its searching analysis of the motives which inspired Milton in writing 'Paradise Lost' have had a marked influence on the mind of the critics of that great poem. Moxon was charged with being "an evil-disposed and wicked person, wickedly and profanely devising and intending to bring the Holy Scriptures and religion into disbelief and contempt" by publishing such passages from Shelley as: "They have three words—well tyrants know their use; well pay for them the loan with usury, torn from a bleeding world—God, Hell, and Heaven!" The prosecution against Moxon seems to have been inspired by trade jealousies, and it was one of the last of its kind that disgraced the English courts. Talfourd was born at Doxey, near Stafford, England, January 26th, 1795. He was educated for the bar, and in 1849 he was made Judge of the Court of Common Pleas where he served with credit. He also served in Parliament where he made a number of speeches in support of international copyright. His dramatic works are numerous and while as a rule they are not well known, his tragedy of 'Ion' has become a classic. Among his prose works are a 'Life of Charles Lamb' and a 'History of Greek Literature.' He died March 13th, 1854.

## THE QUEEN AGAINST MOXON—SHELLEY AS A BLASPHEMER

(From the Speech in the Court of Queen's Bench, June 23d, 1841)

THE passages selected as specimens of the indicted libel are found in a complete edition of the works of Percy Bysshe Shelley,—a work comprising more than twenty thousand lines of verse,—and occupy something less than the three-hundredth part of the volume which contains them. The book presents the entire intellectual history—true and faithful, because traced in

the series of those works which were its events — of one of the most extraordinary persons ever gifted and doomed to illustrate the nobleness, the grandeur, the imperfections, and the progress of human genius — whom it pleased God to take from this world while the process harmonizing his stupendous powers was yet incomplete, but not before it had indicated its beneficent workings. It is edited by his widow, a lady endowed with great and original talent, who, as she states in her preface, hastens "to fulfill an important duty, that of giving the productions of a sublime genius to the world, with all the correctness possible, and of, at the same time, detailing the history of these productions as they sprang, warm and living, from his heart and brain." And, accordingly, the poems are all connected together by statements as to the circumstances under which they were written, and the feelings which inspired them. The "alterations [says Mrs. Shelley] his opinions underwent ought to be recorded, for they form his history."

The first of these works is a poem, written at the age of eighteen, entitled 'Queen Mab'; a composition marked with nothing to attract the casual reader — irregular in versification, wild, disjointed, visionary; often difficult to be understood even by a painful student of poetry, and sometimes wholly unintelligible even to him; but containing as much to wonder at, to ponder on, to weep over, as any half-formed work of genius which ever emanated from the vigor and the rashness of youth. This poem, which I shall bring before you presently, is followed by the marvelous series of works of which 'Alastor,' 'The Revolt of Islam,' the 'Prometheus Unbound,' and 'The Cenci,' form the principal, exhibiting a continuous triumph of mellowing and consecrating influences, down to the moment when sudden death shrouded the poet's career from the observation of mortals. Now the question is, whether it is blasphemy to present to the world — say rather to the calm, the laborious, the patient searcher after wisdom and beauty, who alone will peruse this volume — the awful mistakes, the mighty struggles, the strange depressions, and the imperfect victories of such a spirit, because the picture has some passages of frightful gloom. I am far from contending that everything which genius has in rashness or in wantonness produced, becomes, when once committed to the press, the inalienable property of mankind. Such a principle, indeed, seems to be involved in an argument which was recently sanctioned by the authority

of a Cabinet Minister more distinguished even as a profound thinker and an eloquent and accomplished critic than by political station. When I last urged the claim of the descendants of men of genius to be the guardians of their fame, as well as the recipients of its attendant rewards, I was met with denial on the plea that, from some fastidiousness of taste, or some over-niceness of moral apprehension, the hereditary representatives of a great writer may cover his works with artificial oblivion. I have asked whether, if a poet has written "some line which, dying, he may wish to blot," he shall not be allowed by the insatiate public to blot it dying; and I have asked in vain! Fielding and Richardson have been quoted as writers whose works, multiplying as they will through all time the sources of innocent enjoyment, might have been suppressed by some too dainty moralist. Now, admitting that the tendency of Fielding's works, taken as a whole, is as invigorating as it is delightful, I fear there are chapters which, if taken from their connection — apart from the healthful atmosphere in which their impurities evaporate and die — and printed at some penny cost for dissemination among the young, would justly incur the censure of that law which has too long withheld its visitations from those who have sought a detestable profit by spreading cheap corruption through the land. It may be true, as Doctor Johnson ruled, that Richardson "had taught the passions to move at the command of virtue"; and, as was recently asserted, that Mrs. Hannah More "first learned from his writings those principles of piety by which her life was guided"; but (to leave out of consideration the adventures of Pamela, which must sometimes have put Mrs. Hannah More to the blush) I fear that selections might be made, even from the greatest of all prose romances, 'Clarissa Harlowe,' which the Society for the Suppression of Vice would scarcely endure. Do I wish them therefore suppressed? No! Because in these massive volumes the antidote is found with the bane; because the effect of Lovelace's daring pleas for vice, and of pictures yet more vicious, is neutralized by the scenes of passion and suffering which surround them; because the unsullied image of heroic purity and beautiful endurance rises fairer from amidst the encircling pollutions, and conquers every feeling but those of admiration and pity. Yet if detached scenes were, like these passages of Shelley, selected for the prosecution, how could they be defended — but, like them, by reference to the spirit, and intent, and tendency of the entire

work from which they were torn? And yet the defense would be less conclusive than that which I now offer; as descriptions which appeal to passion are far less capable of correction by accompanying moralities, than the cold speculations of a wild infidelity by the considerations which the history of their author's mind supplies. In the wise and just dispensations of Providence great powers are often found associated with weakness or with sorrow; but when these are not blended with the intellectual greatness they countervail, but merely affect the personal fortunes of their possessors,—as when a sanguine temperament leads into vicious excesses,—there is no more propriety in unveiling the truth, because it is truth, than in exhibiting the details of some physical disease. But when the greatness of the poet's intellect contains within itself the elements of tumult and disorder—when the appreciation of the genius, in all its divine relations and all its human lapses, depends on a view of the entire picture, must it be withheld? It is not a sinful Elysium, full of lascivious blandishments, but a heaving chaos of mighty elements, that the publisher of the early productions of Shelley unveils. In such a case, the more awful the alienation, the more pregnant with good will be the lesson. Shall this life, fevered with beauty, restless with inspiration, be hidden; or, wanting its first blind but gigantic efforts, be falsely, because partially, revealed? If to trace back the stream of genius, from its greatest and most lucid earthly breadth to its remotest fountain, is one of the most interesting and instructive objects of philosophic research, shall we—when we have followed that of Shelley through its majestic windings, beneath the solemn glooms of 'The Cenci,' through the glory-tinged expanses of 'The Revolt of Islam,' amidst the dream-like haziness of the 'Prometheus'—be forbidden to ascend with painful steps its narrowing course to its furthest spring, because black rocks may encircle the spot whence it rushes into day, and demon shapes—frightful but powerless for harm—may gleam and frown on us beside it?

Having thus endeavored to present to you the foundation of my defense,—that the volume in which these passages appear is in its substance historical, and that, so far from being adopted by the compiler, they are presented as necessary to historical truth,—I will consider the passages themselves, and the poem in which they appear, with a view to inquire whether they are of a nature capable of being fairly regarded as innoxious in their con-

nection with Shelley's life. Admitting, as I do, that if published with an aim to commend them to the reader as the breathings or suggestions of truth — nay, that if recklessly published in such a manner as to present them to the reader for approval, they deserve all the indignation which can be lavished on them, I cannot think, even then, they would have power to injure. They appeal to no passion — they pervert no affection — they find nothing in human nature, frail as it always is, guilty as it sometimes becomes — to work on. Contemplated apart from the intellectual history of the extraordinary being who produced them, and from which they can never be severed by any reader of this book, they would excite no feelings but those of wonder at their audacity and pity for their weakness. Not only are they incapable of awakening any chords of evil in the soul, but they are ineffectual even to present to it an intelligible heresy. "We understand a fury in the words — but not the words." What do they import? Is it atheism? — or is it mad defiance of a God by one who believes and hates, yet does not tremble? To the first passage, commencing, "They have three words" — "God, Hell, and Heaven!" — the prosecutor does not venture to affix any meaning at all, but tears them from their context, and alleges that they are part of a libel on the Holy Scriptures, though there is no reference in them to the Bible, or to any Scripture doctrine; nor does the indictment supply any definite meaning or reference to explain or to answer. To the second paragraph —

> Is there a God? — aye, an Almighty God,
> And vengeful as almighty! Once his voice
> Was heard on earth: earth shudder'd at the sound;
> The fiery-visaged firmament express'd
> Abhorrence, and the grave of nature yawn'd
> To swallow all the dauntless and the good
> That dared to hurl defiance at his throne,
> Girt as it was with power —

the indictment does present a most extended innuendo: "Thereby meaning and referring to the Scripture history of Korah, Dathan, and Abiram; and meaning that the said Korah, Dathan, and Abiram, were dauntless and good, and were so dauntless and good for daring to hurl defiance at the throne of Almighty God." This is, indeed, a flight of the poetry of pleading — a construction which you must find as the undoubted sense of the passage

—before you can sustain this part of the accusation. But again, I ask, is there any determinate meaning in these "wild and whirling words"? Are they more than atoms of chaotic thought not yet subsided into harmony—over which the Spirit of Love has not yet brooded, so as to make them pregnant with life, and beauty, and joy? But suppose, for a moment, they nakedly assert atheism—never was there an error which, thus incidentally exhibited, had less power to charm. How far it is possible that such a miserable dogma, dexterously insinuated into a perplexed understanding or a corrupted heart may find reception, I will not venture to speculate, but I venture to affirm that thus nakedly presented, as the dream of a wild fancy, it can at most only glare for a moment, a bloodless phantom, and pass into kindred nothing! Or do the words rather import a belief in a God—the ruling Power of the universe—yet an insane hatred of his attributes? Is it possible to contemplate the creature of a day standing up amidst countless ages—like a shadowy film among the confused grandeur of the universe—thus propelled, with any other feeling than those of wonder and pity? Or do these words merely import that the name and attributes of the Supreme Being have been abused and perverted by "the oppressors of mankind," for their own purposes, to the misery of the oppressed? Or do they vibrate and oscillate between all these meanings, so as to leave the mind in a state of perplexity, balancing and destroying each other? In either case, they are powerless for evil. Unlike that seductive infidelity which flatters the pride of the understanding by glittering sophistry—or that still more dangerous infidelity which gratifies its love of power by bitter sarcasm—or that most dangerous of all which perverts the sensibilities and corrupts the affections—it resembles that evil of which Milton speaks, when, with a boldness which the fastidious might deem profane, he exclaims:—

> Evil into the mind of God or man
> May come and go, so unapproved, and leave
> No spot or blame behind.

If, regarded in themselves, these passages were endowed with any power of mischief, the manner in which they are introduced in the poem—or rather phantasm of a poem—of 'Queen Mab' must surely neutralize them. It has no human interest—no local affinities—no machinery familiar even to thought. It opens in a

lyrical measure, wanting even the accomplishment of rhyme, with an apostrophe uttered, no one knows by whom or where, on a sleeping nymph — whether human or divine — the creature of what mythology — on earth or in some other sphere — is unexplained; all we know is, that the lady or spirit is called "Ianthe." Thus begins: —

How wonderful is Death —
Death and his brother Sleep!
One, pale as yonder waning moon,
With lips of lurid blue;
The other, rosy as the morn
When, throned in Ocean's wave,
It blushes o'er the world;
Yet both so passing wonderful!

Hath then the gloomy power
Whose reign is in the tainted sepulchres
Seized on her sinless soul?
Must then that peerless form,
Which love and admiration cannot view
Without a beating heart — those azure veins
Which steal like streams along a field of snow —
That lovely outline which is fair
As breathing marble, perish?
Must putrefaction's breath
Leave nothing of this heavenly sight
But loathsomeness and ruin!
Spare nothing but a gloomy theme,
On which the lightest heart might moralize?
Or is it only a sweet slumber
Stealing o'er sensation,
Which the breath of roseate morning
Chaseth into darkness?
Will Ianthe wake again,
And give that faithful bosom joy,
Whose sleepless spirit waits to catch
Light, life, and rapture from her smile?

The answer to the last question is, that Ianthe will awake, — which is expressed in terms appropriately elaborate and mystical. But while she is thus sleeping, the Fairy Mab descends — invites the soul of the nymph to quit her form — and conveys it through systems, suns, and worlds to the temple of "The Spirit of Nature," where the Fairy and the Soul enter "The Hall of Spells,"

and a kind of phantasmagoria passes before them, in which are dimly seen representations of the miseries, oppressions, and hopes of mankind. Few, indeed, are the readers who will ever enter the dreary portals of that fane, or gaze on the wild intermixture of half-formed visions and theories which gleam through the hazy prospects seen from its battlements. The discourse of the Fairy — to the few who have followed that dizzy career — is an extraordinary mixture of wild rhapsody on the miseries attendant on humanity, and the supposed errors of its faith, and of fancies "of the moonshine's watery beams." After the "obstinate questioning" respecting the existence of a God, this Fairy — who is supposed to deny all supernatural existence — calls forth a shape of one whose imaginary being is entirely derived from Christian tradition — Ahasuerus, the Jew, who is said to have scoffed at our Savior as he bore his cross to Calvary, and to have been doomed by him to wander on the earth until his second coming. Of this phantom the question is asked, "Is there a God?" and to him are the words ascribed in answer which form the second and third portions of the prosecutor's charge. Can anything be conceived more inconsistent — more completely self-refuted — and therefore more harmless? The whole machinery, indeed, answers to the description of the Fairy: —

> The matter of which dreams are made,
> Not more endow'd with actual life
> Than this phantasmal portraiture
> Of wandering human thought.

All, indeed, is fantastical — nothing clear except that atheism, and the materialism on which alone atheism can rest, are refuted in every page. If the being of God is in terms denied — which I deny — it is confessed in substance; and what injury can an author do, who one moment deprecates the "deifying the Spirit of the universe," and the next himself deifies "the spirit of nature," — speaks of her "eternal breath," and fashions for her "a fitting temple"? Nay, in this strange poem, the spiritual immunities of the soul and its immortal destinies are distinctly asserted amidst all its visionary splendors. The spirit of Ianthe is supposed to arise from the slumbering body and to stand beside it, while the poet thus represents each: —

> 'Twas a sight
> Of [illegible] the body and soul.

The self-same lineaments, the same
Marks of identity were there,
Yet, Oh how different! One aspires to heaven,
Pants for its sempiternal heritage,
And ever changing, ever rising, still
Wantons in endless being;
The other for a time the unwilling sport
Of circumstance and passion, struggles on,
Fleets through its sad duration rapidly;
Then, like a useless and worn-out machine,
Rots, perishes, and passes.

Now, when it is found that this poem, thus containing the doctrine of immortality, is presented with the distinct statement that Shelley himself in maturer life departed from its offensive dogmas — when it is accompanied by his own letter in which he expresses his wish for its suppression — when, therefore, it is not given even as containing his deliberate assertions, but only as a feature in the development of his intellectual character — surely all sting is taken out of the rash and uncertain passages which have been selected as indicating blasphemy! But is it not antidote enough to the poison of a pretended atheism, that the poet who is supposed to-day to deny Deity, finds Deity in all things!

I cannot proceed with this defense without feeling that I move tremulously among sacred things which should be approached only in serene contemplation; that I am compelled to solicit your attention to considerations more fit to be weighed in the stillness of thought than amidst the excitements of a public trial; and that I am able only to suggest reasonings which, if woven into a chain, no strength of mine could utter, nor your kindest patience follow. But the fault is not mine. I cannot otherwise even hint the truth — the living truth — of this case to your minds as it fills and struggles in my own, or protect my client and friend from a prosecution without parallel in our legal history. If the prosecutor, in return for his own conviction of publishing some cheap and popular work of alleged blasphemy — prepared, calculated, and intended by the author to shake the religious principles of the uneducated and the young — has attempted to assail the efforts of genius, and to bring into question the relations, the uses, the tendencies of the divinest faculties, I must not shrink from entreating you to consider those bearings of the question which are essential to its justice. And if you

feel unable fully to examine them within the limits of a trial, and in the atmosphere of a court of justice, yet if you feel with me that they are necessary to a just decision, you cannot doubt what your duty to the defendant and to justice is, on a criminal charge! Pardon me, therefore, if I now seek to show you, by a great example, how unjustly you would deal with so vast and so divine a thing as the imagination of a poet, if you were to take his isolated passages which may seem to deal too boldly with sacred things, and — without regard to the process of the faculty by which they are educed — to brand them as the effusions of a blasphemous mind, or as tending to evil issues. That example will also show you how a poet, — devoting the noblest powers to the loftiest themes, — when he ventures to grapple with the spiritual existences revealed by the Christian faith, in the very purpose of vindicating "the ways of God to men," may seem to incur a charge like the present, and with as much justice, and may be absolved from it only by nice regard to the tendencies of the divine faculty he exerts. I speak not of a "marvelous boy," as Shelley was at eighteen, but of Milton, in the maturity of his powers, when he brought all the "spoils of time," and the clustered beauty hoarded through a long life, to the deliberate construction of a work which should never die. His case is the converse of that of Shelley — he begins from an opposite point; he falls into an opposite error; but he expatiates in language and imagery out of which Mr. Hetherington might shape a charge as specious as that which he has given you to decide. Shelley fancies himself irreligious, and everywhere falters or trembles into piety; Milton, believing himself engaged in a most pious work, is led by the tendencies of his imagination to individualize — to adorn — to enthrone — the Enemy of God; and to invest his struggles against Omnipotence with all the nobleness of a patriotic resistance to tyranny, and his suffering from Almighty justice with the graces of fortitude. Let it not be urged that the language which his Satan utters is merely to be regarded with reference to dramatic proprieties — it is attributed to the being in whom the interest of his poem centres; and on whom admiration and sympathy attend as on a sufferer in the eternal struggle of right against power. Omnipotence becomes tyranny in the poet's vision, and resistance to its requisitions appears the more generous even because hopelessly vain. Before I advert to that language, and ask you to compare it with the expressions

selected for prosecution, let me call to your recollection the grandeurs — nay, the luxuries of thought with which the "Lost Archangel" is surrounded; — the magic by which even out of the materials of torture dusky magnificence is created in his place of exile, beyond "the wealth of Ormus and of Ind"; and the faded glory and unconquerable spirit attributed to those rebel legions who still sustain him in opposition to the Most High. Observe the hosts, still angelic, as they march at his bidding! —

> Anon they move
> In perfect phalanx to the Dorian mood
> Of flutes and soft recorders; such as raised
> To height of noblest temper heroes old
> Arming to battle; and, instead of rage,
> Deliberate valor breathed, firm and unmoved
> With dread of death, to flight or foul retreat;
> Nor wanting power to mitigate and 'suage
> With solemn touches troubled thoughts, and chase
> Anguish, and doubt, and fear, and sorrow, and pain,
> From mortal or immortal minds.

Whether we listen to those who —

> More mild,
> Retreated in a silent valley, sing,
> With notes angelical, to many a harp
> Their own heroic deeds and hapless fall
> By doom of battle —

or those with whom the moral philosopher sympathizes yet more — who

> Sat on a hill retired
> In thoughts more elevate, and reason'd high
> Of providence, foreknowledge, will and fate,
> Fix'd fate, free will, foreknowledge absolute —

or expatiate over the muster roll of their chiefs, in which all the splendors of the East, the gigantic mysteries of Egypt, and the chastest forms of Grecian beauty gleam on us — all reflect back the greatness of him who surveys them with "tears such as angels weep." His very armor and accoutrements glisten on us with a thousand beauties!

> His ponderous shield,
> Ethereal temper, massy, large, and round,

Behind him cast; the broad circumference
Hung on his shoulders like the moon——

And not only like the moon as seen to the upturned gaze of ordinary men, but as associated with Italian art, and discerned from places whose names are music—

——Like the moon whose orb
Through optic glass the Tuscan artist views
At evening, from the top of Fesolè,
Or in Valdarno, to descry new lands,
Rivers, or mountains in her spotty globe.

"His spear" is not only likened to a pine hewn in the depth of mountain forests, but, as if the sublimest references to nature were insufficient to accumulate glories for the bearer, is consecrated by allusions to the thousand storms and thousand thunders which the mast of an imperial ship withstands.

His spear (to equal which the tallest pine
Hewn on Norwegian hills, to be the mast
Of some great admiral, were but a wand)
He walk'd with, to support uneasy steps
Over the burning marle; not like those steps
On heaven's azure.

Now, having seen how the great Christian poet has lavished all the glories of his art on the attendant hosts and personal investiture of the brave opponent of Almighty Power, let us attend to the language in which he addresses his comrade in enterprise and suffering:—

Into what pit thou seest,
From what height fallen—so much the stronger proved
He with his thunder: and till then who knew
The force of those dire arms? Yet not for those,
Nor what the potent Victor in his rage
Can else inflict, do I repent or change,
Though changed in outward lustre, that fix'd mind,
And high disdain, from sense of injured merit,
That with the Mightiest raised me to contend,
And to the fierce contention brought along
Innumerable force of spirits arm'd,
That durst dislike his reign, and, me preferring,

His utmost power with adverse power opposed
In dubious battle on the plains of heaven,
And shook his throne!

Such is the force of the poet's enthusiastic sympathy with the speaker, that the reader almost thinks Omnipotence doubtful; or, if that is impossible, admires the more the courage that can resist it! The chief proceeds:—

What though the field be lost?
All is not lost; the unconquerable will,
And study of revenge, immortal hate,
And courage never to submit or yield,
And what is else not to be overcome;
That glory never shall his wrath or might
Extort from me. To bow and sue for grace
With suppliant knee, and deify his power,
Who from the terror of this arm so late
Doubted his empire; that were low indeed,
That were an ignominy, and shame beneath
This downfall!

This mighty representation of generous resistance, of mind superior to fortune, of resolution nobler than the conquest, concludes by proclaiming "eternal war" against him—

Who now triumphs, and in the excess of joy,
Sole reigning, holds the tyranny of heaven.

Surely, but for the exquisite grace of the language compared with the baldness of Shelley's, I might parallel from this speech all that the indictment charges about "an Almighty Fiend" and "Tyrannous Omnipotence." Listen again to the more composed determination and sedate self-reliance of the archangelic sufferer!

"Is this the region? this the soil, the clime?"
Said then the lost archangel, "this the seat
That we must change for heaven? this mournful gloom
For that celestial light? Be it so, since he,
Who now is Sovran, can dispose and bid
What shall be right; farthest from him is best,
Whom reason hath equal'd, force hath made supreme
Above his equals. Farewell, happy fields
Where joy forever dwells! Hail, horrors, hail!

Infernal world, and thou, profoundest hell,
Receive thy new possessor; one who brings
A mind not to be changed by place or time.
The mind is its own place, and in itself
Can make a heaven of hell, a hell of heaven.
What matter where, if I be still the same?
And what I should be, all but less than he
Whom thunder hath made greater. Here at least
We shall be free; the Almighty hath not built
Here for his envy, will not drive us hence;
Here we may reign secure, and in my choice
To reign is worth ambition, though in hell;
Better to reign in hell than serve in heaven!»

I might multiply passages of the same kind; but I dare only allude to the proposition made of assaulting the throne of God «with Tartarean sulphur and strange fire, his own invented torments»; and to the address of Satan to the newly-created sun, in which he actually curses the love of God. Suppose that last passage introduced into this indictment — suppose that instead of the unintelligible lines beginning: «They have three words, God, Hell, and Heaven,» we had these — «Be then his love accursed,» with the innuendo, «Thereby meaning the love of Almighty God,» how would you deal with the charge? How! but by looking at the object of the great poem of which those words are part; by observing how the poet, incapable of resting in a mere abstraction, had been led insensibly to clothe it from the armory of virtue and grandeur; by showing that although the names of the Almighty and Satan were retained, in truth, other ideas had usurped those names, as the theme itself had eluded even Milton's grasp! I will not ask you whether you agree with me in the defense which might be made for Milton; but I will ask, do you not feel with me that these are matters for another tribunal? Do you not feel with me that except that the boldness of Milton's thoughts comes softened to the ears by the exquisite beauty of Milton's language, I may find parallels in the passages I have quoted from the 'Paradise Lost' for those selected for prosecution from 'Queen Mab'? Do you not feel with me that, as without a knowledge of the 'Paradise Lost,' you could not absolve the publisher of Milton from the prosecution of «some mute inglorious» Hetherington; so neither can you, dare you, convict Mr. Moxon of a libel on God and religion, in publishing the works of Shelley,

without having read and studied them all? If rashly you assail the mighty masters of thought and fantasy, you will, indeed, assail them in vain, for the purpose of suppression, though not for the purpose of torture; all you can do is to make them suffer, as, being human, they are liable to corporal suffering; but, like the wounded spirits of Milton, "they will soon close," "confounded, though immortal!"

If, however, these are considerations affecting the exercise of human genius on themes beyond its grasp, which we cannot discuss in this place, however essential to the decision of the charge, there is one plain position which I will venture to assert: that the poetry which pretends to a denial of God or of an immortal life must contain its own refutation in itself, and sustain what it would deny! A poet, though never one of the highest order, may "link vice to a radiant angel"; he may diffuse luxurious indifference to virtue and to truth; but he cannot inculcate atheism. Let him strive to do it, and like Balaam, who came to curse, like him he must end in blessing! His art convicts him; for it is "Eternity revealing itself in Time!" His fancies may be wayward, his theories absurd, but they will prove, no less in their failure than in their success, the divinity of their origin and the inadequacy of this world to give scope to his impulses. They are the beatings of the soul against the bars of its clay tenement, which, though they may ruffle and sadden it, prove that it is winged for a diviner sphere! Young has said, "An undevout astronomer is mad"; how much more truly might he have said, an atheist poet is a contradiction in terms! Let the poet take what range of associations he will — let him adopt what notions he may — he cannot dissolve his alliance with the Eternal. Let him strive to shut out the vistas of the future by encircling the present with images of exquisite beauty; his own forms of ideal grace will disappoint him with eternal looks, and vindicate the immortality they were fashioned to veil! Let him rear temples, and consecrate them to fabled divinities, they will indicate in their enduring beauty "temples not made with hands, eternal in the heavens!" If he celebrates the delights of social intercourse, the festal reference to their fragility includes the sense of that which must endure; for the very sadness which tempers them speaks the longing after that "which prompts the eternal sigh." If he desire to bid the hearts of thousands beat as one

man at the touch of tragic passion, he must present "the future in the instant"— show in the death-grapple of contending emotions a strength which death cannot destroy — vindicate the immortality of affection at the moment when the warm passages of life are closed against it; and anticipate in the virtue which dares to die, the power by which "mortality shall be swallowed up of life!" The world is too narrow for us. Time is too short for man,— and the poet only feels the sphere more inadequate, and pants for the "all-hail hereafter," with more urgent sense of weakness than his fellows:—

> Too — too contracted are these walls of flesh,
> This vital heat too cold; these visual orbs,
> Though inconceivably endow'd, too dim
> For any passion of the soul which leads
> To ecstasy, and all the frigid bonds
> Of time and change disdaining, takes the range
> Along the line of limitless desires!

If this prosecution can succeed, on what principle can the publishers of the great works of ancient times, replete with the images of idolatrous faith, and with immoralities only to be endured as historical, escape a similar doom? These are the works which engage and reward the first labors of our English youth,— which, in spite of the objections raised to them, practically teach lessons of beauty and wisdom — the sense of antiquity— the admiration of heroic daring and suffering,— and refine and elevate their lives. It was destined in the education of the human race, that imperfect and faint suggestions of truth, combined with exquisite perceptions of beauty, should in a few teeming years give birth to images of grace which, untouched by time, people the retreats which are sought by youthful toil, and make learning lovely. Why shall not these be brought, with the poetry of Shelley, within the range of criminal jurisdiction? Because, with all their beauty, they do not belong to the passions of the present time,— because they hold their dominion apart from the realties which form the business of life,— because they are presented to the mind as creations of another sphere, to be admired, not believed. And yet, without prosecution — without offense — one of the greatest and purest of our English poets, wearied with the selfishness which he saw pervading a Christian nation,

has dared an ejaculating wish for the return of those old palpable shapes of divinity, when he exclaimed:—

> Great God! I'd rather be
> A Pagan suckled in a creed outworn,
> So might I, standing on some pleasant lee,
> Have glimpses which may make me less forlorn,
> Have sight of Proteus coming from the sea,
> Or hear old Triton blow his wreath ed horn!

And the fantasies of 'Queen Mab,' if not so compact of imagination, are as harmless now as those forms of Grecian deities which Wordsworth thus invokes! Pure — passionless — they were while their author lived; they have grown classic by that touch of death which stopped the generous heart and teeming fancy of their fated author. They have no more influence on living opinion, than that world of beauty to which Shelley adverts, when he exclaims in 'Hellas:'—

> But Greece and her foundations are
> Built below the tide of war,
> Based on the crystalline sea
> Of thought and its eternity.

Having considered this charge chiefly as affecting poetry, I must not forget that the last passage selected by the prosecutor is in prose, culled from the essay which was appended to the poem of 'Queen Mab,' disclaimed by the editor,— disclaimed by Shelley long before he reached the prime of manhood,— but rightly preserved, shocking as it is in itself, as essential to the just contemplation of his moral and intellectual nature. They form the darkground of a picture of surpassing interest to the philosopher. There shall you see a poet whose fancies are most ethereal, struggling with a theory gross, material, shallow, imaging the great struggle by which the Spirit of the Eternal seeks to subdue the material world to its uses. His genius was pent up within the hard and bitter rind of his philosophy, as Ariel was in the rift of the cloven pine; and what wonder if a Spirit thus enthralled should send forth strange and discordant cries? Because the words which those strange voices syllabled are recorded here, will you say the record is a crime? I recollect in

the speech of that great ornament of our profession, Mr. Erskine, an illustration of the injustice of selecting part of a conversation or of a book, and because singly considered it is shocking, charging a criminal intent on the utterer or the publisher; which, if at first, it may not seem applicable to this case, will be found essentially to govern it. He refers to the passage in the Bible, "The fool hath said in his heart, There is no God," and shows how the publisher of the Book of God itself might be charged with atheism, by the insertion only of the latter division of the sentence. It is not surely by the division of a sentence only that context may be judged; but by the general intent of him who publishes what is in itself offensive, for the purpose of curious record — of controversy — of evidence — of example. The publisher of Shelley has not, indeed, said, "The fool hath said in his heart, There is no God"; but he has in effect said, the poet has tried to say with his lips, "There is no God," but his genius and his heart belie his words! What, indeed, does the publisher of Shelley's works virtually say, where he thus presents to his readers this record of the poet's life and death? He says — Behold! Here is a spectacle which angels may admire and weep over! Here is a poet of fancy the most ethereal — feelings the most devout — charity the most Christian — enthralled by opinions the most cold, hollow, and debasing! Here is a youth endowed with that sensibility to the beautiful and the grand which peoples his minutes with the perceptions of years — who, with a spirit of self-sacrifice which the eldest Christianity might exult in if found in one of its martyrs, is ready to lay down that intellectual being — to be lost in loss itself — if by annihilation he could multiply the enjoyments and hasten the progress of his species — and yet, with strange willfulness, rejecting that religion in form to which in essence he is imperishably allied! Observe these radiant fancies — pure and cold as frostwork — how would they be kindled by the warmth of Christian love! Track those "thoughts that wander through eternity," and think how they would repose in their proper home! And trace the inspired, yet erring youth, poem after poem — year after year, month after month — how shall you see the icy fetters which encircle his genius gradually dissolve; the wreaths of mist ascend from his path; and the distance spread out before him peopled with human affections and skirted by angel wings! See how this seeming atheist begins to

adore — how the divine image of suffering and love presented at Calvary, never unfelt, begins to be seen — and in its contemplation the softened, not yet convinced poet exclaims, in his 'Prometheus,' of the followers of Christ: —

> The wise, the pure, the lofty, and the just,
> Whom thy slaves hate — for being like to thee!

And thus he proceeds — with light shining more and more towards the perfect day, which he was not permitted to realize in this world. As you trace this progress, alas! Death veils it — veils it, not stops it — and this perturbed, imperfect, but glorious being is hidden from us — "Till the sea shall give up its dead!" What say you now to the book which exhibits this spectacle, and stops with this catastrophe? Is it a libel on religion and God? Talk of proofs of Divine existence in the wonders of the material universe, there is nothing in any — nor in all — compared to the proof which this indicted volume conveys! What can the telescope disclose of worlds, and suns, and systems, in the heavens above us, or the microscope detect in the descending scale of various life, endowed with a speech and a language like that with which Shelley, being dead, here speaks? Not even do the most serene productions of poets, whose faculties in this world have attained comparative harmony, — strongly as they plead for the immortality of the mind which produced them, — afford so unanswerable a proof of a life to come, as the mighty embryo which this book exhibits; — as the course, the frailty, the imperfection, with the dark curtain dropped on all! It is, indeed, when best surveyed, but the infancy of an eternal being; an infancy wayward but gigantic; an infancy which we shall never fully understand, till we behold its development "when time shall be no more" — when doubt shall be dissolved in vision — "when this corruptible shall have put on incorruption, and when this mortal shall have put on immortality!"

# T. DE WITT TALMAGE

(1832–)

THOMAS DE WITT TALMAGE, perhaps the most celebrated American pulpit orator of the last decade of the nineteenth century, was born at Bound Brook, New Jersey, January 7th, 1832. He was educated in the University of the City of New York and in the Presbyterian Theological Seminary of New Brunswick, New Jersey. He held pastorates in New Jersey and Pennsylvania until 1869, when he took charge of the Brooklyn Tabernacle, where he soon became famous. He carefully studied the trend of the public mind and, choosing topics of current interest, framed his discourses to compel the largest possible amount of immediate attention. While this method caused him to be hotly denounced by those whose views he antagonized, it gave his sermons value not only as eloquence, but as news to hundreds of weekly papers throughout the country. They have been published accordingly, from week to week, in so many different parts of the country as to carry their probable average weekly circulation during the last ten years far into the hundreds of thousands. Doctor Talmage is at present pastor of a Church in Washington city, and his popularity shows no signs of diminution.

## ON ADMIRAL DEWEY AND THE NAVY

(By Permission—From a Sermon Delivered in Washington, October 1st, 1899, on the Return of Admiral Dewey)

WHILE we are heartily greeting and banqueting the sailor patriots just now returned, we must not forget the veterans of the navy now in marine hospitals, or spending their old days in their own or their children's homesteads. Oh, ye veterans! I charge you bear up under the aches and weakness that you still carry from the war times. You are not as stalwart as you would have been but for that nervous strain and for that terrific exposure. Let every ache and pain, instead of depressing, remind you of your fidelity. The sinking of the Weehawken, off Morris Island, December 6th, 1863, was a mystery.

She was not under fire. The sea was not rough. But Admiral Dahlgren, from the deck of the flag-steamer Philadelphia, saw her gradually sinking, and finally she struck the ground; but the flag still floated above the wave in the sight of the shipping. It was afterward found that she sank from weakness through injuries in previous service. Her plates had been knocked loose in previous times. So you have in nerve, and bone, and dimmed eyesight, and difficult hearing, and shortness of breath, many intimations that you are gradually going down. It is the service of many years ago that is telling on you. Be of good cheer. We owe you just as much as though your lifeblood had gurgled through the scuppers of the ship in the Red River Expedition, or as though you had gone down with the Melville off Hatteras. Only keep your flag flying as did the illustrious Weehawken. Good cheer, my boys! The memory of man is poor, and all that talk about the country never forgetting those who fought for it is an untruth. It does forget. Witness how the veterans sometimes had to turn the hand organs on the street to get their families a living. Witness how ruthlessly some of them were turned out of office that some bloat of a politician might take their places. Witness the fact that there is not a man or woman now under forty-five years of age who has any full appreciation of the four years' martyrdom of 1861 to 1865, inclusive. But while men may forget, God never forgets. He remembers the swinging hammock. He remembers the forecastle. He remembers the frozen ropes of that January tempest. He remembers the amputation without sufficient ether. He remembers the horrors of that deafening night when forts from both sides belched on you their fury, and the heavens glowed with ascending and descending missiles of death, and your ship quaked under the recoil of the 100-pounder, while all the gunners, according to command, stood on tiptoe with mouths wide open, lest the concussion shatter hearing or brain. He remembers it all better than you remember it, and in some shape reward will be given. God is the best of all paymasters, and for those who do their whole duty to him and the world the pension awarded is an everlasting heaven.

Sometimes off the coast of England the royal family have inspected the British navy, manœuvred before them for that purpose. In the Baltic Sea the Czar and Czarina have reviewed the Russian navy. To bring before the American people the debt

they owe to the navy, I go out with you on the Atlantic Ocean, where there is plenty of room, and in imagination review the war shipping of our five great conflicts—1776, 1812, 1865, and 1898. Swing into line all ye frigates, ironclads, fire-rafts, gunboats, and men-of-war! There they come, all sail set and all furnaces in full blast, sheaves of crystal tossing from their cutting prows. That is the Delaware, an old Revolutionary craft, commanded by Commodore Decatur. Yonder goes the Constitution, Commodore Hull commanding. There is the Chesapeake, commanded by Captain Lawrence, whose dying words were: "Don't give up the ship," and the Niagara, of 1812, commanded by Commodore Perry, who wrote on the back of an old letter, resting on his navy cap: "We have met the enemy, and they are ours." Yonder is the flagship Wabash, Admiral Dupont commanding; yonder the flagship Minnesota, Admiral Goldsborough commanding; yonder the flagship Philadelphia, Admiral Dahlgren commanding; yonder the flagship San Jacinto, Admiral Bailey commanding; yonder the flagship Black Hawk, Admiral Porter commanding; yonder the flag-steamer Benton, Admiral Foote commanding; yonder the flagship Hartford, Admiral David G. Farragut commanding; yonder the Brooklyn, Rear-Admiral Schley commanding; yonder the Olympia, Admiral Dewey commanding; yonder the Oregon, Captain Clarke commanding; yonder the Texas, Captain Philip commanding; yonder the New York, Rear-Admiral Sampson commanding; yonder the Iowa, Captain Robley D. Evans commanding.

And now all the squadrons of all departments, from smallest tugboat to mightiest man-of-war, are in procession, decks and rigging filled with men who on the sea fought for the old flag ever since we were a nation. Grandest fleet the world ever saw! Sail on before all ages! Run up all the colors! Ring all the bells! Yea, open all the portholes! Unlimber the guns and load, and fire one great broadside that shall shake the continents in honor of peace and the eternity of the American Union! But I lift my hand, and the scene has vanished. Many of the ships have dropped under the crystal pavement of the deep, sea-monsters swimming in and out the forsaken cabin, and other old craft have swung into the navy yards, and many of the brave spirits who trod their decks are gone up to the eternal fortress, from whose casements and embrasures may we not hope they look down to-day with joy upon a nation in reunited brotherhood?

All those of you who were in naval service during the war of 1865 are now in the afternoon or evening of life. With some of us it is two o'clock, three o'clock, four o'clock, six o'clock, and it will soon be sundown. If you were of age when the war broke out, you are now at least sixty. Many of you have passed into the seventies. While in our Cuban war there were more Christian commanders on sea and land than in any previous conflict, I would revive in your minds the fact that at least two great Admirals of the Civil War were Christians, Foote and Farragut. Had the Christian religion been a cowardly thing, they would have had nothing to do with it. In its faith they lived and died. In Brooklyn navy yard Admiral Foote held prayer meetings and conducted a revival on the receiving ship North Carolina, and on Sabbaths, far out at sea, followed the chaplain with religious exhortation. In early life, aboard the sloop of war Natchez, impressed by the words of a Christian sailor, he gave his spare time for two weeks to the Bible, and at the end of that declared openly: "Henceforth, under all circumstances, I will act for God." His last words, while dying at the Astor House, New York, were: "I thank God for all his goodness to me. He has been very good to me." When he entered heaven he did not have to run a blockade, for it was amid the cheers of a great welcome. The other Christian Admiral will be honored on earth until the day when the fires from above shall lick up the waters from beneath, and there shall be no more sea.

"Oh, while old ocean's breast
Bears a white sail,
And God's soft stars to rest
Guide through the gale,
Men will him ne'er forget,
Old heart of oak—
Farragut, Farragut—
Thunderbolt stroke!"

. . . . . .

We hail with thanks the new generation of naval heroes, those of the year 1898. We are too near their marvelous deeds to fully appreciate them. A century from now poetry, and sculpture, and painting, and history will do them better justice than we can do them now. A defeat at Manila would have been an infinite disaster. Foreign nations not overfond of our Amer-

ican institutions would have joined the other side, and the war so many months past would have been raging still, and perhaps a hundred thousand graves would have opened to take down our slain soldiers and sailors. It took this country three years to get over the disaster at Bull Run at the opening of the Civil War. How many years it would have required to recover from a defeat at Manila in the opening of the Spanish War I cannot say. God averted the calamity by giving triumph to our navy under Admiral Dewey, whose coming up through the Narrows of New York harbor day before yesterday was greeted by the nation whose welcoming cheers will not cease to resound until tomorrow: and next day, in the capital of the nation, the jeweled sword voted by Congress shall be presented amid booming cannon and embannered hosts, and our autumnal nights shall become a conflagration of splendor; but the tramp of these processions, and the flash of that sword, and the huzza of that greeting, and the roar of those guns, and the illumination of those nights will be seen and heard as long as a page of American history remains inviolate.

Especially let the country boys of America join in these greetings to the returned heroes of Manila. It is their work. The chief character in all the scene is the once country lad, George Dewey. Let the Vermonters come down and find him older, but the same modest, unassuming, almost bashful person that they went to school with, and with whom they sported on the playground. The honors of all the world cannot spoil him. A few weeks ago, at a banquet in England, some of the titled noblemen were affronted because our American Minister Plenipotentiary associated the name of Dewey with that of Lord Nelson. As well might we be affronted because the name of Nelson is associated with that of our most renowned Admiral. The one name in all the coming ages will stand as high as the other. So this day, sympathizing with all the festivities and celebrations of the past week, and with all the festivities and celebrations to come this week, let us thank God anew and those heroes of the American navy who have done such great things for our beloved land. Come aboard the old ship Zion, ye sailors and soldiers, whether still in the active service or honorably discharged and at home having resumed citizenship. And ye men of the past, your last battle on the seas fought, take from me, in God's name, salutation and good cheer. For the few remaining fights with sin

and death and hell make ready. Strip your vessel for the fray; hang the sheet chains over the side. Send down the topgallant masts. Barricade the wheel. Rig in the flying-jib-boom. Steer straight for the shining shore, and hear the shout of the great commander of earth and heaven as he cries from the shrouds: "To him that overcometh will I give to eat of the tree of life which is in the midst of the paradise of God." Hosanna! Hosanna!

# JEREMY TAYLOR

(1613-1667)

JEREMY TAYLOR, author of 'Holy Living' and 'Holy Dying,' was one of the most eloquent men of an age of eloquence. He was born at Cambridge in 1613. His father was a barber, but his democratic origin did not prevent him from becoming a pronounced Royalist in the struggle between Cromwell and the King. Educated at Cambridge for the Church, and patronized by Archbishop Laud, he became Chaplain to Charles I. Under the Commonwealth he was deprived of his living, but after the Restoration he was made a Bishop and a member of the Irish Privy Council. He died August 13th, 1667. His theological writings are numerous, but he is chiefly remarkable for the melodious movement of his prose, noticeable even when the subject he is treating is not calculated to compel emotion or to excite the musical faculty.

## THE FOOLISH EXCHANGE

(From a Sermon on Matthew xvi. 26)

A SOUL, in God's account, is valued at the price of the blood, and shame, and tortures of the Son of God; and yet we throw it away for the exchange of sins that a man is naturally ashamed to own; we lose it for the pleasure, the sottish, beastly pleasure of a night. I need not say, we lose our soul to save our lives; for though that was our blessed Savior's instance of the great unreasonableness of men, who by "saving their lives, lose them," that is, in the great account of doomsday; though this, I say, be extremely unreasonable, yet there is something to be pretended in the bargain; nothing to excuse him with God, but something in the accounts of timorous men; but to lose our souls with swearing, that unprofitable, dishonorable, and unpleasant vice; to lose our souls with disobedience, or rebellion, a vice that brings a curse and danger all the way in this life; to lose our souls with drunkenness, a vice which is painful and sickly in the very acting of it, which hastens our damnation

by shortening our lives, are instances fit to be put in the stories of fools and madmen. And all vice is a degree of the same unreasonableness; the most splendid temptation being nothing but a pretty, well-woven fallacy, a mere trick, a sophism, and a cheating and abusing the understanding. But that which I consider here is, that it is an affront and contradiction to the wisdom of God, that we should so slight and undervalue a soul in which our interest is so concerned; a soul which he who made it, and who delighted not to see it lost, did account a fit purchase to be made by the exchange of his Son, the eternal Son of God.

To which I also add this additional account, that a soul is so greatly valued by God that we are not to venture the loss of it to save all the world. For, therefore, whosoever should commit a sin to save kingdoms from perishing — or, if the case could be put, that all the good men, and good causes, and good things in this world were to be destroyed by tyranny, and it were in our power, by perjury, to save all these, that doing this sin would be so far from hallowing the crime, that it were to offer to God a sacrifice of what he most hates, and to serve him with swine's blood; and the rescuing of all these from a tyrant or a hangman could not be pleasing to God upon these terms, because a soul is lost by it, which is, in itself, a greater loss and misery than all the evils in the world put together can outbalance, and a loss of that thing for which Christ gave his blood a price. Persecutions and temporal death in holy men, and in a just cause, are but seeming evils, and, therefore, not to be bought off with the loss of a soul, which is a real, but an intolerable calamity. And if God, for his own sake, would not have all the world saved by sin, that is, by the hazarding of a soul, we should do well, for our own sakes, not to lose a soul for trifles, for things that make us here to be miserable, and even here also to be ashamed.

. . . . . .

A thousand years is a long while to be in torment: we find a fever of one-and-twenty days to be like an age in length; but when the duration of an intolerable misery is forever in the height, and forever beginning, and ten thousand years have spent no part of its term, but it makes a perpetual efflux, and is like the centre of a circle, which ever transmits lines to the circumference: this is a consideration so sad, that the horror of it, and the reflection upon its abode and duration, make a great part of

the hell: for hell could not be hell without the despair of accursed souls; for any hope were a refreshment, and a drop of water, which would help to allay those flames, which as they burn intolerably, so they must burn forever.

And I desire you to consider that although the Scripture uses the word "fire" to express the torments of accursed souls, yet fire can no more equal the pangs of hell than it can torment an immaterial substance; the pains of perishing souls being as much more afflictive than the smart of fire as the smart of fire is troublesome beyond the softness of Persian carpets, or the sensuality of the Asian luxury. For the pains of hell and the perishing or losing the soul is to suffer the wrath of God: *καὶ γὰρ ὁ θεὸς ἡμῶν πῦρ κατανάλισκον*, "our God is a consuming fire," that is, the fire of hell. When God takes away all comfort from us, nothing to support our spirit is left us; when sorrow is our food, and tears our drink; when it is eternal night, without sun, or star, or lamp, or sleep; when we burn with fire without light, that is, are laden with sadness without remedy, or hope of ease; and that this wrath is to be expressed and to fall upon us, in spiritual, immaterial, but most accursed, most pungent, and dolorous emanations; then we feel what it is to lose a soul.

We may guess at it by the terrors of a guilty conscience, those *verbera et laniatus*, those secret "lashings and whips" of the exterminating angel, those thorns in the soul, when a man is haunted by an evil spirit; those butchers — which the soul of a tyrant, or a violent or a vicious person, when he falls into fear or any calamity, does feel — are the infinite arguments, that hell — which is the consummation of the torment of conscience, just as manhood is the consummation of infancy, or as glory is the perfection of grace — is an infliction greater than the bulk of heaven and earth; for there it is that God pours out the treasures of his wrath, and empties the whole magazine of thunderbolts, and all the armory of God is employed, not in the chastising, but in the tormenting, of a perishing soul. Lucian brings in Radamanthus, telling the poor wandering souls upon the banks of Elysium: "For every wickedness that any man commits in his life, when he comes to hell he hath stamped upon his soul an invisible brand" and mark of torment, and this begins here, and is not canceled by death, but there is enlarged by the greatness of infinity, and the abodes of eternity. How great these torments of conscience are here, let any man imagine that can but under-

stand what despair means; despair upon just reason: let it be what it will, no misery can be greater than despair. And because I hope none here have felt those horrors of an evil conscience which are consignations to eternity, you may please to learn it by your own reason, or else by the sad instances of story. It is reported of Petrus Ilosuanus, a Polonian schoolmaster, that having read some ill-managed discourses of absolute decrees and Divine reprobation, he began to be fantastic and melancholic, and apprehensive that he might be one of those many whom God had decreed for hell from all eternity. From possible to probable, from probable to certain, the temptation soon carried him: and when he once began to believe himself to be a person inevitably perishing, it is not possible to understand perfectly what infinite fears, and agonies, and despairs, what tremblings, what horrors, what confusion and amazement, the poor man felt within him, to consider that he was to be tormented extremely, without remedy, even to eternal ages. This, in a short continuance, grew insufferable, and prevailed upon him so far that he hanged himself, and left an account of it to this purpose in writing in his study: "I am gone from hence to the flames of hell, and have forced my way thither, being impatient to try what those great torments are, which here I have feared with an insupportable amazement." This instance may suffice to show what it is to lose a soul. But I will take off from this sad discourse; only I shall crave your attention to a word of exhortation:

Take care, lest, for the purchase of a little, trifling, inconsiderable portion of the world, you come into this place and state of torment. Although Homer was pleased to compliment the beauty of Helen to such a height, as to say: "It was a sufficient price for all the evils which the Greeks and Trojans suffered in ten years," yet it was a more reasonable conjecture of Herodotus, that, during the ten years' siege of Troy, Helen, for whom the Greeks fought, was in Egypt, not in the city; because it was unimaginable but the Trojans would have thrown her over the walls, rather than, for the sake of a trifle, have endured so great calamities. We are more sottish than the Trojans, if we retain our Helen, any one beloved lust, a painted devil, and sugared temptation with (not the hazard, but) the certainty of having such horrid miseries, such incalculable losses. And certainly it is a strange stupidity of spirit that can sleep in the midst of such thunder; when God speaks from heaven with his loudest

voice, and draws aside his curtain, and shows his arsenal and his armory, full of arrows steeled with wrath, headed and pointed, and hardened with vengeance, still to snatch at those arrows, if they came but in the retinue of a rich fortune or a vain mistress, if they wait but upon pleasure or profit, or in the rear of an ambitious design.

But let us not have such a hardiness against the threats and representments of the Divine vengeance, as to the little imposts and revenues of the world, and stand in defiance against God and the fears of hell; unless we have a charm that we can be ἀόρατοι τῳ κριτῇ, "invisible to the Judge" of heaven and earth, are impregnable against, or are sure we shall be insensible of, the miseries of a perishing soul.

There is a sort of men, who, because they will be vicious and atheistical in their lives, have no way to go on with any *plaisance* and without huge disturbances, but by being also atheistical in their opinions; and to believe that the story of hell is but a bugbear to affright children and fools, easy-believing people, to make them soft and apt for government and designs of princes. And this is an opinion that befriends none but impure and vicious persons. Others there are that believe God to be all mercy, that he forgets his justice; believing that none shall perish with so sad a ruin, if they do but at their death-bed ask God's forgiveness, and say they are sorry, but yet continue their impiety till their house be ready to fall; being like the Circassians, whose gentlemen enter not in the Church till they be threescore years old, that is, in effect, till by their age they can not any longer use rapine; till then they hear service at their windows, dividing unequally their life between sin and devotion, dedicating their youth to robbery, and their old age to a repentance without restitution.

Our youth, and our manhood, and old age, are all of them due to God, and justice and mercy are to him equally essential: and as this life is a time of the possibilities of mercy, so to them that neglect it, the next world shall be a state of pure and unmingled justice.

Remember the fatal and decretory sentence which God hath passed upon all mankind: "It is appointed to all men once to die, and after death comes judgment." And if any of us were certain to die next morning, with what earnestness should we pray! with what hatred should we remember our sins! with what

scorn should we look upon the licentious pleasures of the world! Then nothing could be welcome unto us but a prayer book, no company but a comforter and a guide of souls, no employment but repentance, no passions but in order to religion, no kindness for a lust that hath undone us. And if any of you have been arrested with arms of death, or been in hearty fear of its approach, remember what thoughts and designs then possessed you, how precious a soul was then in your account, and what then you would give that you had despised the world, and done your duty to God and man, and lived a holy life. It will come to that again; and we shall be in that condition in which we shall perfectly understand that all the things and pleasures of the world are vain, and unprofitable, and irksome, and that he only is a wise man who secures the interest of his soul, though it be with the loss of all this world, and his own life into the bargain. When we are to depart this life, to go to strange company and stranger places, and to an unknown condition, then a holy conscience will be the best security, the best possession; it will be a horror, that every friend we meet shall, with triumph, upbraid to us the sottishness of our folly: "Lo, this is the goodly change you have made! you had your good things in your lifetime, and how like you the portion that is reserved to you forever?"

The old rabbins, those poets of religion, report of Moses, that when the courtiers of Pharaoh were sporting with the child Moses, in the chamber of Pharaoh's daughter, they presented to his choice an ingot of gold in one hand and a coal of fire in the other; and that the child snatched at the coal, thrust it into his mouth, and so singed and parched his tongue that he stammered ever after. And certainly it is infinitely more childish in us, for the glittering of the small glow-worms and the charcoal of worldly possessions, to swallow the flames of hell greedily in our choice: such a bit will produce a worse stammering than Moses had: for so the accursed and lost souls have their ugly and horrid dialect; they roar and blaspheme, blaspheme and roar, forever. And suppose God should now at this instant send the great archangel with his trumpet to summon all the world to judgment, would not all this seem a notorious visible truth, a truth which you will then wonder that every man did not lay to his heart and preserve there, in actual, pious, and effective consideration? Let the trumpet of God perpetually sound in your ears. "Rise from the dead, and come to judgment!" Place

yourselves, by meditation, every day upon your death-bed, and remember what thoughts shall then possess you, and let such thoughts dwell in your understanding forever, and be the parent of all your resolutions and actions. The doctors of the Jews report that when Absalom hanged among the oaks by the hair of the head, he seemed to see under him hell gaping wide ready to receive him; and he durst not cut off the hair that entangled him, for fear he should fall into the horrid lake, whose portion in flames and torment, but chose to protract his miserable life a few minutes in that pain of posture, and to abide the stroke of his pursuing enemies: his condition was sad when his arts of remedy were so vain.

A condemned man hath but small comfort to stay the singing of a long Psalm; it is the case of every vicious person. Hell is wide open to every impenitent persevering sinner, to every unpurged person.

And although God hath lighted his candle, and the lantern of his word and clearest revelations is held out to us, that we can see hell in its worst colors and most horrid representations; yet we run greedily after baubles, under that precipice which swallows up the greatest part of mankind; and then only we begin to consider, when all consideration is fruitless.

He, therefore, is a huge fool, that heaps up riches, that greedily pursues the world, and at the same time (for so it must be) "heaps up wrath to himself against the day of wrath." When sickness and death arrest him, then they appear unprofitable, and himself extremely miserable; and if you would know how great that misery is, you may take account of it by those fearful words and killing rhetoric of Scripture: "It is a fearful thing to fall into the hands of the living God"; and, "Who can dwell with the everlasting burnings?" That is, no patience can abide there one hour, where they dwell forever.

# TERTULLIAN

(*c.* 150–*c.* 230)

TERTULLIAN (Quintus Septimius Florens Tertullianus) is frequently ranked next to Saint Augustine among the orators and theologians of the early Christian church. He was a man of extensive learning, educated in the Greek and Latin classics as well as in all the literature of the Church then extant. He was born at Carthage, in Africa, about 150 A. D., and educated for the law. His family were pagans and it was only after he had grown to mature manhood that he became a Christian (*c.* 192 A. D.) Much of his life was passed in Rome. He was active in the controversy with the Gnostics; and when the movement which finally joined Church and State became pronounced, he identified himself with the Montanists in opposition to it. The date of his death is not exactly known, but it is believed to have been in the year 230. Among his many works on Christianity and Morals, the most celebrated is the 'Apology' he wrote in defense of Christianity during the persecution under Severus.

## THE BEAUTY OF PATIENCE

(From a Discourse on James i. 4)

IN THIS world we carry about us our very souls and bodies exposed to injury from all men, and under this injury we submit to be patient. Shall we be grieved by taking thought for things of lesser moment? Away with such defilement from the servant of Christ, that his patience, made ready for greater temptations, should fall away in trifling ones. If any shall try to provoke thee by open violence, the admonition of the Lord is at hand: To him that smiteth thee on the face, saith he, turn the other cheek also. Let his wickedness be wearied out by thy patience. Be the blow what it may, bound up with pain and insult, he will suffer a heavier one from the Lord. Thou beatest that wicked man the more by bearing with him, for he shall be beaten by him for whose sake thou bearest with him.

If the bitterness of the tongue should break out in cursing or railing, reflect on that which hath been said: "Rejoice when men shall curse you." The Lord himself was cursed under the law, and yet is the only Blessed. Wherefore let us his servants follow our Lord, and let us take cursing patiently, that we may be able to be blessed. If I hear not with unruffled mind any wanton or naughty word spoken against me, I must needs myself also render bitter speech in my turn, or I shall be tortured by silent impatience. When, therefore, I have smitten another with evil speaking, how shall I be found to have followed the teaching of the Lord, wherein it is delivered unto us that a man is defiled not by the pollutions of vessels, but of those things which proceed out of the mouth? And, again, that there remaineth an account to be given by us for every vain and idle word. It followeth, therefore, that what God forbiddeth us to do, he also admonisheth us to bear patiently from another. Here would I now say a word of the pleasure of patience. For every wrong whether inflicted by the tongue or the hand, when it hath encountered patience, will be finally disposed of in the same manner as any weapon launched and blunted against a rock of most enduring hardness. For it will fall upon the spot, its labor rendered vain and unprofitable, and sometimes recoiling backward will wreak its fury, by a violent reaction, upon him who sent it forth. For a man injureth thee on purpose that thou mayest be pained; for the gain of the injurer lieth in the pain of the injured. When, therefore, thou hast overthrown his gain by not being pained, he must himself needs be pained in missing his gain; and then wilt thou come off not only unhurt, which even itself is sufficient for thee, but beside this both pleased by the disappointment of thine adversary, and avenged by his pain. Such is the profit and the pleasure of patience. . . .

As respecteth the rule of that peace, which is so pleasing unto God, who is there at all, that is of his own nature impatient, who will forgive his brother even once, not to say seven times, and still less seventy times seven? Who while he is in the way with his adversary to the judge will end the matter by agreeing with him, except he first sever from himself that vexation, that harshness, that bitterness, which are in fact the venom of impatience? How wilt thou forgive and it shall be forgiven thee, if for lack of patience thou be retentive of an injury? No man divided in spirit against his brother will offer his gift upon the altar,

except first by being reconciled with his brother, he return to patience? If the sun go down upon our wrath we are in danger. We may not continue for even one day without patience. And since it directeth every kind of wholesome discipline, what wonder if it administer also to repentance, which is wont to come to the succor of the fallen! When, in a separation between man and wife (for some cause, that is, for which it is lawful either for a man or a woman to persevere in continuing in a state of widowhood) this patience waiteth for, desireth, urgeth, their salvation, as for those who will one day begin to repent. How much good doth it confer on both? The one it hindereth from adultery, the other it amendeth. In the same manner it is present also in those holy examples of patience in the Lord's parables. It is the patience of the shepherd which seeketh and findeth the sheep which was gone astray; for impatience might easily despise that one sheep. But through patience he undertaketh the labor of the search, yea, and moreover carrieth on his shoulders the deserted offender, a patient bearer of his burden. Again, it is the patience of the father which both receiveth and clotheth, and feedeth the prodigal son, and excuseth him to the impatience of his angry brother. He, therefore, which had been lost is saved, because he began to repent. His repentance is not lost, because it meeteth with patience. For by whose rules save those of patience is charity instructed; that chief mystery of the faith, that treasure of the Christian name which the Apostle commendeth with all the power of the Holy Spirit? Charity, saith he, suffereth long; therefore, she useth patience. She is kind. Patience doeth no unkindness. She envieth not; this, indeed, properly belongs to patience. She savoreth not of wantonness: she hath derived her modesty from patience. She is not puffed up, doth not insult, for this belongeth not to patience. And she seeketh not her own, she beareth with her own, so she may profit another. Nor is she easily provoked; for otherwise what would she have left for impatience to do? Wherefore, saith he, charity beareth all things, endureth all things: that is, because she is patient. With good cause, therefore, she shall never fail: for all other things shall be cleared away, brought to a close. Tongues, knowledge, prophecies, are exhausted. Faith, hope, charity abide. Faith, which the patience of Christ has produced; hope, which the patience of man waiteth for; charity, which patience accompanieth, God being its master. . . .

In this strength of patience Esaias is sawn asunder, and ceaseth not to speak concerning the Lord. Stephen is stoned, and asketh forgiveness for his enemies. Oh, how exceedingly blessed is he also, who against the whole power of the devil worked out in full every sort of patience! Whom neither the driving away of his herds, nor all that abundance of cattle, nor his sons taken away by a single blow of ruin; nor, finally, the torment of his body in its wounded state, deprived of his patience, the integrity which he devoted to the Lord: whom the devil smote with all his might in vain! For he was not moved away by so many afflictions from his reverence of God, but he was set as an example for us, and a testimony of the working out of patience, both in the spirit and in the flesh, both in the mind and in the body; so that we may neither sink under the damage of our worldly goods, nor the loss of those most dear to us, nor even the afflictions of our own bodies. How did God in this man build up a trophy over the devil! How did he set up his banner over the adversary of his glory! When this man, in reply to all the mass of tidings brought to him, uttered nothing from his mouth save thanks to God! When he denounced his wife, already wearied out with afflictions, and advising a wicked remedy! Well! God was rejoiced. Well! the evil one was cut asunder, while Job was wiping away, with great patience, the filthy discharge from his boils, which he was bringing back, in mockery the worms broke out from them into the same holes and pastures in his perforated flesh. Wherefore this laborer for the victory of God, having beaten back all the darts of his temptations by the coat of mail and shield of patience, presently both recovered from God the soundness of his body, and had in possession twice as much as he had lost; and, if he had wished that his sons should be restored he would have been again called their father. But he had rather that they should not be given back to him at that day. Having full confidence in the Lord, he deferred a joy so great to another season. He endured this voluntary bereavement that he might not live without some kind of patience.

Thus is God an abundantly sufficient depository of patience. If thou placest a wrong in his hands, he is an avenger; if a loss, he is a restorer; if pain, he is a physician; if death, he is the resurrection. What a license hath patience, in having God for her debtor! And not without cause; for she observeth all his

pleasure, she interposeth her aid in all his commands. She fortifieth faith, guideth peace, assisteth charity, instructeth humility, waiteth for penitence, setteth her mark upon confession, ruleth the flesh, preserveth the spirit, bridleth the tongue, restraineth the hand, treadeth temptations under foot, driveth away offenses, perfecteth martyrdom, consoleth the poor, ordereth the rich, straineth not the weak, wasteth not the strong, delighteth the believer, inviteth the heathen, commendeth the servant to his master, his master to God: adorneth the woman, approveth the man; is loved in the boy, praised in the young man, respected in the old; is beautiful in every sex, in every age. Come, now, let us describe her form and her demeanor. She hath a countenance serene and placid, a forehead smooth, contracted with no wrinkle of grief and anger, her brows evenly and smoothly relaxed, her eyes cast down in humility, not in melancholy. Her mouth beareth the seal of honorable silence. Her color is such as those have who are free from care and crime. Her head is often shaken at the devil, with a smile of defiance. For the rest, her clothing about her bosom is white and closely fitted to the body, as being neither puffed out nor ruffled. For she sitteth on the throne of that most kind and gentle spirit who is not in the gathering of the whirlwind, nor in the blackness of the cloud, but belongeth to the soft, calm, clear, and simple Voice, such as Elias knew at the third time. For where God is, there also is his foster child, to wit, Patience. When, therefore, the spirit of God descendeth, patience never divideth from him, accompanieth him. If we receive her not together with the spirit, will he abide with us always? Nay, I know not whether he would continue any longer. Without his companion and handmaid, he must needs be grieved at every place and time. Whatever his enemy inflicteth he cannot endure alone, lacking the instrument of endurance. This is the way, this the rule, these the words of a heavenly and true, that is, a Christian patience.

# WILLIAM MAKEPEACE THACKERAY

(1811–1863)

THACKERAY'S after-dinner speeches on literary and social topics occupy a distinct place in the oratory of his day. His lectures, such as the 'Four Georges,' which he delivered in the United States in 1855, and his 'English Humorists,' delivered in 1851, which represent his studied efforts on the platform, are really essays, while his after-dinner speeches are usually extemporaneous and full of the flavor of his unstudied conversation. For this reason, and the more because his after-dinner speeches are not included in the «complete» editions of his works generally published, preference has been given to them here to represent a class of oratory peculiar to modern times. After-dinner speeches are abundant, but good after-dinner speeches are so rare that Thackeray's best are never likely to lose their favor with the discriminating — more especially as they have the supreme merit of the brevity which makes the reader or hearer object to them as too short.

## THE REALITY OF THE NOVELIST'S CREATION

(Delivered at a Dinner in 1849)

I SUPPOSE, Mr. Chairman, years ago when you had a duty to perform, you did not think much about, or look to, what men of genius and men of eloquence in England might say of you; but you went and you did your best with all your power, and what was the result? You determined to do your best on the next occasion. I believe that is the philosophy of what I have been doing in the course of my life; I don't know whether it has tended to fame or to laughter, or to seriousness; but I have tried to say the truth, and as far as I know, I have tried to describe what I saw before me, as well as I best might, and to like my neighbor as well as my neighbor would let me like him. All the rest of the speech which I had prepared has fled into thin air; the only part of it which I remember was an apology for, or

rather an encomium of, the profession of us novelists, which, I am bound to say, for the honor of our calling, ought to rank with the very greatest literary occupations. Why should historians take precedence of us? Our personages are as real as theirs. For instance, I maintain that our friends Parson Adams and Doctor Primrose are characters as authentic as Doctor Sacheverell, or Doctor Warburton, or any reverend personage of their times. Gil Blas is quite as real and as good a man as the Duke of Lerma, and, I believe, a great deal more so. I was thinking too, that Don Quixote was to my mind as real a man as Don John or the Duke of Alva; and then I was turning to the history of a gentleman of whom I am particularly fond—a schoolfellow of mine before Doctor Russell's time. I was turning to the life and history of one with whom we are all acquainted, and that is one Mr. Joseph Addison, who, I remember, was made Under Secretary of State at one period of his life, under another celebrated man, Sir Charles Hedges, I think it was, but it is now so long ago, I am not sure; but I have no doubt Mr. Addison was much more proud of his connection with Sir Charles Hedges, and his place in Downing Street, and his red box, and his quarter's salary, punctually and regularly paid,—I dare say he was much more proud of these than of any literary honor which he received, such as being the author of the 'Tour to Italy' and the 'Campaign.' But after all, though he was indubitably connected with Sir Charles Hedges, there was another knight with whom he was much more connected, and that was a certain Sir Roger de Coverley, whom we have always loved, and believed in a thousand times better than a thousand Sir Charles Hedges. And as I look round at this my table, gentlemen, I cannot but perceive that the materials for my favorite romances are never likely to be wanting to future authors. I don't know that anything I have written has been generally romantic; but if I were disposed to write a romance, I think I should like to try an Indian tale, and I should take for the heroes of it, or for some of the heroes of it—I would take the noble lord whom I see opposite to me [Lord Napier] with the Sutlej flowing before him, and the enemy in his front, and himself riding before the British army, with his little son Arthur and his son Charles by his side. I am sure, in all the regions of romance, I could find nothing more noble and affecting than that story, and I hope some of these days, some more able novelist will undertake it.

## AUTHORS AND THEIR PATRONS

(Delivered at a Dinner in 1851)

LITERARY men are not by any means, at this present time, that most unfortunate and most degraded set of people whom they are sometimes represented to be. If foreign gentlemen should by any chance go to see 'The Rivals' represented at one of our theatres, they will see Captain Absolute and Miss Lydia Languish making love to one another, and conversing, if not in the costume of our present day, or such as gentlemen and ladies are accustomed to use, at any rate in something near it; whereas, when the old father Sir Anthony Absolute comes in, nothing will content the stage but that he should appear with red heels, large buckles, and an immense Ramilies wig. This is the stage tradition: they won't believe in an old man unless he appears in this dress, and with this wig; nor in an old lady, unless she comes forward in a quilted petticoat and high-heeled shoes; nor in Hamlet's gravedigger unless he wears some four-and-twenty waistcoats; and so on. In my trade, in my especial branch of literature, the same tradition exists; and certain persons are constantly apt to bring forward, or to believe in the existence at this moment of the miserable old literary hack of the time of George II., and bring him before us as the literary man of this day. I say that that disreputable old phantom ought to be hissed out of society. I don't believe in the literary man being obliged to resort to ignoble artifices and mean flatteries to get places at the tables of the great, and to enter into society upon sufferance. I don't believe in the patrons of this present day, except such patrons as I am happy to have in you, and as any honest man might be proud to have, and shake by the hand, and be shaken by the hand by. Therefore I propose from this day forward that the oppressed literary man should disappear from among us. The times are altered; the people don't exist; "the patron and the jail," praise God, are vanished from out our institutions. It may be possible that the eminent Mr. Edmund Curl stood in the pillory in the time of Queen Anne, who, thank God, is dead; it may be, that in the reign of another celebrated monarch of these realms, Queen Elizabeth, authors who abused the persons of their honors would have their arms cut off on the first offense, and be hanged on the second. Gentlemen, what would be the position

of my august friend and patron, Mr. Punch, if that were now the case? Where would be his hands, and his neck, and his ears, and his bowels? He would be disemboweled, and his members cast about the land. We don't want patrons, we want friends; and I thank God we have them. And as for any idea that our calling is despised by the world, I do, for my part, protest against and deny the whole statement. I have been in all sorts of society in this world, and I never have been despised that I know of.

I don't believe there has been a literary man of the slightest merit, or of the slightest mark, who did not greatly advance himself by his literary labors. I see along this august table gentlemen whom I have had the honor of shaking by the hand and gentlemen whom I never should have called my friends, but for the humble literary labors I have been engaged in. And, therefore, I say, don't let us be pitied any more. As for pity being employed upon authors, especially in my branch of the profession, if you will but look at the novelists of the present day, I think you will see it is altogether out of the question to pity them. We will take in the first place, if you please, a great novelist who is the great head of a great party in a great assembly in this country. When this celebrated man went into his county to be proposed to represent it, and he was asked on what interest he stood? he nobly said, "he stood on his head." And who can question the gallantry and brilliancy of that eminent crest of his, and what man will deny the great merit of Mr. Disraeli? Take next another novelist, who writes from his ancestral hall, and addresses John Bull in letters on matters of politics, and John Bull buys eight editions of those letters. Is not this a prospect for a novelist? There is a third, who is employed upon this very evening, heart and hand, heart and voice, I may say, on a work of charity. And what is the consequence? The Queen of the realm, the greatest nobles of the empire, all the great of the world, will assemble to see him and do him honor. I say, therefore, don't let us have pity. I don't want it till I really do want it. Of course it is impossible for us to settle the mere prices by which the works of those who amuse the public are to be paid. I am perfectly aware that Signor Twankeydillo, of the Italian Opera, and Mademoiselle Petitpas, of the Haymarket, will get a great deal more money in a week, for the skillful exercise of their chest and toes, than I, or you, or any gentleman, shall be able to get by our brains and by weeks of hard

labor. We cannot help these differences in payment, we know there must be high and low payments in our trade as in all trades; that there must be gluts of the market, and over production; that there must be successful machinery, and rivals, and brilliant importations from foreign countries; that there must be hands out of employ and tribulation of workmen. But these ill winds which afflict us blow fortunes to our successors. These are natural evils. It is the progress of the world, rather than any evil which we can remedy, and that is why I say this society acts most wisely and justly in endeavoring to remedy, not the chronic distress, but the temporary evil; that it finds a man at the moment of the pinch of necessity, helps him a little, and gives him a "God speed," and sends him on his way. For my own part I have felt that necessity, and bent under that calamity; and it is because I have found friends who have nobly, with God's blessing, helped me at that moment of distress, that I feel deeply interested in the ends of a society [the Royal Literary Fund], which has for its object to help my brethren in similar need.

## THE NOVELIST'S FUTURE LABORS

(Delivered in 1852 at the Royal Literary Fund Dinner)

WE, FROM this end of the table, speak humbly and from afar off. We are the usefuls of the company, who over and over again perform our little part, deliver our little messages, and then sit down; whereas you, yonder, are the great stars of the evening;—you are collected with much care, and skill, and ingenuity, by the manager of this benefit performance; you perform Macbeth and Hamlet, we are the Rosencrantzes and Guildensterns; we are the Banquos,—as I know a Banquo who has shaken his gory old wig at Drury Lane, at a dozen Macbeths. We resemble the individual in plush, whom gentlemen may have seen at the opera, who comes forward and demurely waters the stage, to the applause of the audience,—never mind who is the great Taglioni, or the Lind, or the Wagner, who is to receive all the glory. For my part, I am happy to fulfill that humble office, and to make my little spurt, and to retire, and leave the place for a greater and more able performer. How like British charity is to British valor! It always must be well

fed before it comes into action! We see before us a ceremony of this sort, which Britons always undergo with pleasure. There is no tax which the Briton pays so cheerfully as the dinner tax. Every man here, I have no doubt, who is a little acquainted with the world, must have received, in the course of the last month, a basketful of tickets, inviting him to meet in this place for some purpose or other. We have all rapped upon this table, either admiring the speaker for his eloquence, or, at any rate, applauding him when he sits down. We all of us know — we have had it a hundred times — the celebrated flavor of the old Freemasons' mock-turtle, and the celebrated Freemasons' sherry; and if I seem to laugh at the usage, the honest, good old English usage of eating and drinking, which brings us all together, for all sorts of good purposes,—do not suppose that I laugh at it any more than I would at good, old, honest John Bull, who has under his good, huge, boisterous exterior, a great deal of kindness and goodness at the heart of him. Our festival may be compared with such a person; men meet here and shake hands, kind hearts grow kinder over the table; and a silent almoner issues forth from it, the festival over, and gratifies poor people, and relieves the suffering of the poor, which would never be relieved but for your kindness. So that there is a grace that follows after your meat and sanctifies it.

We have heard the historians and their calling worthily exalted just now; but it seems to me that my calling will be the very longest and the last of those of all the literary gentlemen I see before me. Long after the present generation is dead — of readers and of authors of books — there must be kindness and generosity, and folly and fidelity, and love and heroism, and humbug in the world; and as long as they last, my successors, or the successors of the novelists who come along after us, will have plenty to do, and plenty of subjects to write upon. There may chance to be a time when wars will be over, and the "decisive battles" of the world will not need a historian. There may arrive a time when the Court of Chancery itself will be extinguished; and, as perhaps your lordship is aware, there is a certain author of a certain work called 'Bleak House,' who, for the past three months, has been assaulting the Court of Chancery in a manner that I cannot conceive that ancient institution will survive. There may be a time when the Court of Chancery will cease to exist, and when the historian of the 'Lives of the Lord

Chancellors' will have no calling. I have often speculated upon what the successors of the novelists in future ages may have to do; and I have fancied them occupied with the times and people of our own age. If I could fancy a man so occupied hereafter, and busied, we will say, with a heroic story, I would take the story which I heard hinted at the other night by the honored, the oldest, the bravest, and greatest man in this country — I would take the great and glorious action of Cape Danger, when, striking to the powers above alone, the Birkenhead went down! When, with heroic courage and endurance, the men remained on the decks, and the women and children were allowed to go away safe, as the people cheered them, and died doing their duty! I know of no victory so sublime in any annals of the feats of English valor — I know of no story that could inspire a great author or novelist better than that. Or, suppose we should take the story of an individual of the present day, whose name has been already mentioned; we might have a literary hero, not less literary than Mr. David Copperfield, or Mr. Arthur Pendennis, who is defunct: we might have a literary hero who, at twenty years of age, astonished the world with his brilliant story of 'Vivian Grey'; who, in a little time afterwards, and still in the youthful period of his life, amazed and delighted the public with 'The Wondrous Tale of Alroy'; who, presently following up the course of his career, and the development of his philosophical culture, explained to a breathless and listening world the great Caucasian mystery; who, quitting literature, then went into politics; met, faced, and fought, and conquered the great political giant and great orator of those days; who subsequently led thanes and earls to battle, and caused reluctant squires to carry his lance; and who, but the other day, went in a gold coat to kiss the hand of his Sovereign, as Leader of the House of Commons and Chancellor of her Majesty's Exchequer. What a hero that will be for some future novelist, and what a magnificent climax for the third volume of his story!

# LOUIS ADOLPHE THIERS

(1797–1877)

LOUIS ADOLPHE THIERS, statesman and historian, was born at Marseilles, France, April 15th, 1797. He was educated for the bar, but going to Paris and finding himself without clients, he began work as a journalist and succeeded beyond his hopes. During the time that he was connected with the *Constitutionnel* and the *National*, he was engaged in historical studies which resulted in the ten volumes of his 'History of the Revolution' and such minor works as his 'History of John Law.' His 'History of the Consulate and Empire' did not begin to appear until 1845. It is his most voluminous and, perhaps, his greatest work, and its composition occupied nearly twenty years of his leisure. France is remarkable as the country in which literature is a road to political preferment, and among the French literary men of the nineteenth century whose writings have given them power in politics, Thiers ranks with Guizot as the greatest. As a journalist in 1829 he helped to bring on the revolution which gave the throne to Louis Philippe. He was a member of the Cabinet in various capacities, becoming finally President of the Council and virtually Prime Minister. In 1836 when he resigned from the Cabinet he held the portfolio of Foreign Minister, and on his return to the administration in 1840 he became again Foreign Minister and President of the Council, but held the place only a short time. He was several times a member of the Chamber of Deputies and was always an effective speaker. Under the Empire he led the parliamentary opposition in such speeches as that on the Budget of 1865 which exposed the weakness of Napoleon's plans of imperialistic colonization in America and helped to prepare the French mind for its abandonment when, after the close of the American Civil War, Maximilian's position in Mexico became untenable. After the fall of the Empire, in 1871, M. Thiers became President of the Republic, remaining in office a little over two years, and resigning on May 24th, 1873. He died September 3d, 1877.

## MEXICO AND LOUIS NAPOLEON'S POLICIES

(Delivered in Discussing the Budget in the French Legislative Assembly, June 2d, 1865)

*Gentlemen:—*

WHEN I last year had the honor of addressing you for the first time on the state of our finances, I endeavored to give a retrospective view of them for the last twenty years, and to show from what causes our expenditure had risen in the last few years from about 1,500 millions to nearly 2,300 millions. To me the causes are evident enough; and had there been any doubt, the propositions now made to us would suffice to remove it. Within the last fortnight 360 millions have been demanded for France in general, and 250 for Paris; in all, 610 millions. It is said that a law is now under consideration in the Council of State demanding 100 or 200 millions more, making 700 or 800 millions in the space of a few weeks. I need not dwell on the causes of the increase of our Budgets; I will only make a concise statement concerning them. I will afterwards show the financial situation which those causes have produced; in short, I will attempt to present a balance sheet of our finances. I believe you will agree with me in thinking that the causes are these:—Since our new institutions have diminished the share which our nation took in managing its own affairs, it was feared that the activity of mind with which I am reproached might be dangerous, unless means should be found to occupy the attention of the country. These means, sometimes dangerous, always odious, have been wars abroad, and enormous expenditure and great speculations at home. After great wars came small ones—small, if we consider the number of men engaged, but large if we consider their distance and the serious complications they may cause The war in Mexico has already cost us more than the Italian war, to say nothing of the complications it may entail. The war expenditure has, of course, been met by loans, and the public debt has consequently been considerably increased. Next come our great public works, an excellent employment for the country's savings in time of peace, as every sensible man will acknowledge; but we ought to proceed prudently. It is a mistake to suppose, as some do, that there need be no limit to the application of our savings to public works; agriculture and manufactures ought to

have their share, and if only a portion should be employed by the State in improving roads, canals, and other means of communication, still less should be devoted to the mere embellishment of towns. It is certainly necessary to widen the streets and improve the salubrity of cities, but there is no necessity for such vast changes as have been operated in Paris, where, as I think, all reasonable limits have been exceeded. The contagion of example is to be feared. The proverb says that he who commits one folly is wise. If Paris only were to be rebuilt, I should not have much to say against it, but you know what La Fontaine wittily says:—

> « *Tout bourgeois veut bâtir comme le grand seigneur,*
> *Tout petit prince a des ambassadeurs,*
> *Tout marquis veut avoir des pages.* »

The glory of the Prefect of the Seine has troubled the repose of all the prefects. The Prefect of the Seine has rebuilt the Tuileries, and the Prefect of the Bouches-du-Rhône wants to have his Tuileries also. Last year the Minister of State answered me that only a trifling expenditure was intended, not more than six millions; but it appears from the debates of the Council-General that the expense will be twelve or fourteen millions, and some persons say as much as twenty millions. I know that the Prefect of the Bouches-du-Rhône is a senator; but if it takes twelve millions to build him a residence, that is a large sum. All the other prefects will be eager to follow his example, as the Prefect of Lisle has already. The sub-prefects, also, will want new residences and new furniture. Where would all this lead to? The Minister of Public Works, full of glory, must have more consideration for the cares of the Minister of Finance. But here we have a new Minister of Public Works with a new glory to make, and demands for millions multiply. The Minister of Finance defends himself as best be can, but appears to be conquered; he might resist by resigning, certainly; but that is a means borrowed from past days. A compromise is at last effected. To spare the Treasury, one hundred millions are to be obtained by selling part of the State forests. For this, however, your consent is necessary; but the matter is settled in principle, and the public domain will supply the funds which the Treasury refuses. By whom is this torrent of expenditure to be arrested? By yourselves, gentlemen; your wisdom, patriotism, and courage can alone

achieve the task. Your responsibility is great, especially in financial matters; in politics, your powers may be contested to a certain extent; but in questions of finance they are undisputed. In finances, you, therefore, are responsible for everything. It is time to halt in this course of expenditure, and not to imitate those sinners who are always talking of reforming and after all die in final impenitence.

We are often told that financial science is obscure; but the assertion is untrue. Sciences are never obscure, except through the dullness of those who expound them, or the charlatanism of those who assume a false air of profundity. I will take my examples from private life. Let us suppose two fathers, one methodical, strict, and somewhat morose; the other easy and good-natured. The former will regulate his expenditure according to his income, and fix limits which he will not pass; during the year this may cause some unpleasantness to himself and his family, but when settling day comes he has neither anxiety nor embarrassment. The latter takes no such precautions; he passes quietly through the year, restricting neither his own expenditure nor that of his family; but when he settles his accounts he finds that he has exceeded his income, and is obliged to encroach on his capital to pay his debts; and thus goes on from year to year with ever-increasing embarrassment till ruin stares him in the face. The stern father, meanwhile, has preserved or even increased his estate, and taught his children that which will be useful to them through life. As in private life, so it is in public affairs. Statesmen have the same passions as other men, and it is only by resisting these passions that they can save the State. I will now apply these reflections to our finances. What is the principle which governs their administration? You have five Budgets, and I will show the consequences of this multiplicity. First, there is the ordinary one, which ranges from 1,370 to 1,780 millions; this year it is 1,700 millions. Then there is a special Budget for the departments and communes, varying from 230 to 240 millions. Next comes the extraordinary Budget, from 120 to 140 millions. But that is not all. As the Budget is voted a year beforehand, all expenses have not been foreseen, and at the end of the year a rectificative Budget of one hundred millions is required: so that the total Budget exceeds 2,200 millions. Then, when the final settlement comes, it is found that certain expenses have exceeded the credits voted, while other credits have not been

employed; the latter are made set-offs against the former, but there is always a balance required of from twenty to eighty millions which has to be voted by special laws. The Budget is thus raised to 2,200 millions or more; in 1863 it was 2,292 millions. Such is the figure we reach with our five Budgets; and then, like the father above mentioned, we have to strike the final balance. This is done by the Court of Accounts, and when the result is submitted to the Chamber, if there be an excess of expenditure, the floating debt is increased by so much. Last year you made a loan of 360 millions, and it will be exhausted next year. This is how the Budget has risen to between 2,200 and 2,300 millions. Last year M. de Vuitry, President of the Council of State, told me that it would be a childish expedient to divide the Budgets for the purpose of deceiving the Chamber as to their total amount, seeing that the general situation might be ascertained by adding together a few figures. I replied that it took me two months to make those additions, and, if I mistake not, the reporter has found three months to be necessary this year, though he had numerous documents at his disposal, which those who are not members of the committee have never seen. Your reporter, indeed, has had confidential communications from the Ministry of Finance, which inform him of things he cannot repeat to us. We have not the information we ought to have, and yet the reporter required three months to work the little sum in addition, to which the President of the Council of State alluded. It has been said: "Calumniate! Calumniate! some of your calumnies are sure to remain." We may say: "Dissimulate! Dissimulate! something is sure to remain!" We will now see whether the plan of dividing the Budget is not a means of creating illusions as to the true amount of the expenditure. The Honorable M. Gouin yesterday said that the Budget was really 1,571 millions. When the law of accounts comes before us, that Budget will be 2,300 millions. Were there any good reason for thus dividing the Budget I would not object to it. Why should there be one Budget for the State and another for the departments and communes, when all the expenditure is paid from the same Treasury and made under the same responsibility? Separate Budgets may be reasonable enough in Austria, which contains distinct kingdoms and provinces, but there is nothing to justify them in France. Then, there is another illusion, that of the ordinary and extraordinary Budgets. When thousands of millions were concerned, as in the first establishment of railways,

there was some reason for an extraordinary Budget; but when the expenditure is only for ameliorations which may be effected gradually, it can only tend to dissimulate real expenses. The extraordinary Budget contains the expenditure for repairs, which must always be a permanent item; why should it, then, not be put in the ordinary Budget? I also see in it sums of five and six millions for the Ministry of War, which ought certainly to be considered ordinary expenditure. In the extraordinary Budget of the Marine I see a sum of twelve and one-half millions for the arsenals, which ought certainly to be considered an ordinary item. But we are told that it was required for the transformation of our navy into ironclads. I have seen three of these transformations in the course of forty years, and therefore see no reason for calling it an extraordinary expenditure.

In the Ministry of Public Works I find five millions for improving the high roads, but all such outlay has hitherto been considered ordinary expenditure. Then comes the large sum of thirty-three millions for payments to railways as guarantee of interest, but some parts of these payments will last eighty years, other parts twenty and forty years, and therefore ought to be in the ordinary Budget. The only use of the extraordinary Budget seems to be to make the ordinary Budget appear less, and give it a more favorable appearance when compared with the ordinary revenue. M. Gouin says that our ordinary Budget being 1,900 millions and our revenue of the same amount, there is an equilibrium. But even when viewed in that light, there is still a deficit of thirty millions. The division into ordinary and extraordinary Budgets serves to put the real receipts in comparison with what are called ordinary expenses. As to the other expenses, they are met by installments or other means. The rectificative Budget also serves to diminish the apparent amount of the ordinary Budget. The system of rectificative Budgets is justified by alleging the impossibility of providing for all necessary expenditure a year in advance. I admit the necessity of supplementary credits; but even to justify them the expenditure to which they correspond ought to be really expenses in some degree expected. An eminent member of the Old Chamber, M. Le Pelletier d'Aulnay, was a severe critic of supplementary credits. But I repeat that the grand principle of such credits is the unforeseen. We have the rectificative Budget of 1865. Well, gentlemen, read it; and see if it is composed of expenses impossible to foresee. Out of

eighty millions there are sixty for the occupation of Rome, for Cochin China, and for Mexico. Can it be said that last year nobody foresaw that we should have to pay all this in the present year? And, doubtless, the Minister of Finance last year never anticipated that he should have to remove the post office to the Rue de Rivoli, for which he is now obliged to ask six millions. Was I not, therefore, right in calling the rectificative Budget an extraordinary Budget deferred? The expenses of this Budget are met by augmentations of receipts,—sometimes, but not always, realized; by the Mexican securities, the great resource of the moment; and, lastly, by annulments. Then comes the liquidation, when fresh expenses are discovered, ordinarily discharged by annulments, but these last are found to be exhausted. That is the way in which a Budget of 1,900 millions is swelled to one of 2,200 or 2,300 millions. The form in which a Budget is presented is of great importance; the present system enables people to say that we are nearly in equilibrium when we are very far removed from it. Let us take as an example the last three years. The Budget of 1862, voted in 1861, was composed of 1,777 millions for State expenses, and 125 millions for communal and departmental outlay,— 1,902 millions in all for the ordinary Budget; the extraordinary was sixty-seven millions,— in all 1,969 millions. In 1862 there came the rectificative Budget, which added 193 millions, accounted for by the great cost of the Mexican expedition, and of the check at Puebla, so gloriously repaired.

The liquidation arrived in 1863; and it was found necessary to add from forty-nine to fifty millions, carrying the whole expenditure to 2,212 millions. The Budget of 1863, voted in 1862, was composed of 1,721 millions for State expenses, and 217 millions for communal and departmental, besides 121 millions for the extraordinary Budget — total, 2,061 millions; and the rectificative Budget and liquidation raised that amount to 2,292 millions — the highest figure we have yet known. The Budget of 1864 showed 2,105 millions as ordinary, and 135 as rectificative — total, 2,240 millions, swelled by the liquidation to 2,260 or 2,270 millions. The Budget for 1865 was last year voted at a figure of 2,100 millions; the rectificative Budget, which we are now discussing, has added eighty-eight millions, thus raising the figure to 2,188 millions, and leading to the belief that the total will exceed 2,200 millions. The Budget of 1865 will be smaller than the preceding, for the reason that the Mexican expenses have diminished. I am

aware that the Minister of Finance would gladly see a reduction in our expenditure, but the Minister of Public Works is fond of renown, and it is always difficult to find the Minister who pays and the one who spends in perfect accord. In the present case they seem to have arranged matters at the expense of a third party, purely passive — I mean the sinking fund. Allow me to say a few words on that topic. When the State borrows one hundred millions there is an annual expense of five millions incurred to pay the interest, and one million more is added to redeem the whole debt. At this rate such a debt could only be extinguished in one hundred years, and that would be bankruptcy.

When I was studying finance under the auspices of that great financier, Baron Louis, I came to the conclusion that to defer for a period beyond thirty years the extinction of a debt was tantamount to deferring it indefinitely. But how can a debt be extinguished in a little over thirty years? By leaving in the possession of the sinking fund the million of redeemed Rentes: the next year it can redeem 1,050,000*f.* Rentes, and thus by force of compound interest the object may be attained in somewhat over thirty years. Our laws have made the extinction of the public debt by a sinking fund obligatory. The dotation for that purpose has become a sacred thing; but not so the redeemed Rentes — they can be annulled. And as the spirit of the law implies redemption when the prices are high, it is scarcely just to the holder of Rentes purchased, perhaps, at eighty-four, to reimburse him at sixty-seven. But what is the Budget that has been made by annulling the sixty-five millions of redeemed Rentes? The advantage of the measure has not been complete; for out of that sum it was necessary to allot six or seven millions to the sinking fund and seven to the ordinary Budget, so that fifty millions only remained to establish the Budget of 1,700 millions; then there were 236 for departmental expenses — in all, 1,936 millions for the ordinary Budget. Then comes the extraordinary one. The Minister of Public Works is not content with the 119 millions which he got last year, but asks for 144, and the committee makes it 152; but 1,936 millions for the ordinary Budget and 152 for the extraordinary make 2,086. Such is the Budget of 1866, without counting the rectificative Budget, which will infallibly come. Now, I will ask you, have you 2,086 millions of receipt in prospect? I maintain that you have not; that there is a deficit of at least two hundred millions. We are told, indeed, that the

sum total of expenses can be reduced; I only hope it may. I cannot, however, agree with M. Garnier Pagès as to the facile suppression of a variety of taxes. There appear to me but four chapters in which savings can be realized,—Mexico, if you evacuate it; public works, if you restrict them within bounds; the army, if it really can be reduced; and the sinking fund, if the principle of it, as some say, is really an effete and antiquated theory. The evacuation of Mexico will perhaps wound the susceptibilities of the Government. But let me remind the Chamber of the admirable language held by M. de Caulaincourt, Duke of Vicence, to Napoleon I., at Dresden, in 1813. "Sire," said he, "conclude this peace; your *amour propre* may suffer, but not your glory; for your glory is that of France, and it is in no way tarnished by the proposals that have been made to you." I wish, then, to hold the same language to you. Let us imitate Spain in her conduct regarding San Domingo, since her *amour propre* did not hinder her from desisting from a fault which would cost her blood and treasure without any chance of success. By evacuating Mexico, you may save about fifty millions per annum. Again, by a judicious restriction of public works you may realize savings to an extent of twenty, thirty, and in time of fifty millions annually. But with respect to economizing in the army and in the sinking fund I feel considerable doubts. Can there be any notable reduction of our army expenditure? I think not. In 1830 my friends on the left of the Chamber demanded such a reduction, but without success, as the army was not diminished, but increased from 280,000 to 350,000 men. Personally, I share the opinion of Marshal Soult, who thought an effective force of from 360,000 to 380,000 men absolutely necessary. The figure was, indeed, reduced for a moment to 320,000, and what happened in 1840? That it was suddenly raised to 500,000 men, and at an enormous cost. The year 1848 arrived, and the effective was carried to 420,000, and continued so for two years. I come now to the Empire. Believe me, I am far from wishing to put the august Prince who now occupies the throne in contradiction with himself, but desire merely to cite facts. Prince Louis Napoleon had often in his works applauded the Prussian system, and affirmed that an army of 200,000 men with a strong reserve was quite sufficient for France. Since he has become Emperor we are every day told that France cannot do with less than 400,000 soldiers. Thus it is that every one talks of reductions in the army

before attaining to power, but power once gained nobody carries them out. Gentlemen, I do not hold this language for the sake of making myself popular with the French people. The real fact is that promises are often made of which circumstances prevent the fulfillment. For the different foreign services you will always have 100,000 men out of the country, and if you then take the figure of the noneffectives at 50,000, out of the 400,000 you will have 250,000 for our immense territory at home. What is the state of neighboring countries? In Prussia the Crown accepts a fearful conflict with the Parliament in order to maintain an effective force of 200,000 men; Austria has 400,000; Russia from 600,000 to 700,000. Those only who have not studied the subject are capable of calling for reduction. A soldier under arms costs about 430*f.* a year; suppress 50,000 men, and what will be the economy realized? About twenty-one millions. Such an economy is certainly not to be condemned; but nothing on a large scale can be realized without inducing, by negotiation, all the Great Powers to modify their military systems. Nor do I think there is any chance of success as long as Austria continues restless about Venetia, as long as Prussia aims at dominating all the small German States, and as long as Russia shall choose to retain Poland and foster her designs upon the East. I conclude, then, that any serious reduction of the army is impossible.

I must now say a few words on the sinking fund. There is a certain school which affirms that public debts are not disquieting, but even advantageous, and that England is happy in having so large a debt, as so many creditors are interested in her prosperity. Such may be the reasoning of merchants at Rotterdam or Marseilles at the sight of their quays covered with merchandise. "Oh, what splendid commerce!" they might exclaim; but if the bales contained goods which they could not pay for, they would change their note. A good financial market ought to be filled with goods representing the debts of other people. It is good here to cite the example of the United States. They redeemed the whole of their debt; and well it was for them, for they were thus enabled to find 20,000 million francs to pay for the re-establishment of the American Union. I do not, however, wish you to redeem all your debt, but to diminish it. Public debts are like the lakes at the foot of great mountains; nature does not empty them; but, after the snows and rains of winter and spring, she diminishes gradually the mass of water

by the dry heats of summer. Debts must be paid off in peace, so that we may be able to borrow when war comes. The Government ought to buy up a part of the debt, were it only to afford the State creditors a certainty of finding a market for their securities, which they cannot unless the State maintains its credit. The English Government, after long neglecting the sinking fund, has now decided to buy up every year seventy-five millions (of francs) of the public debt, but yet Mr. Gladstone tells the Parliament that he does not think that sum sufficient, and apologized for not having done more. But you, who have done nothing in that way for ten years, now tell us that you have fulfilled your duties. When we are told that the sinking fund, after being entered as expenditure, is then entered as receipts, the result is the same as if a private individual, after laying aside 1,000*f.* to pay his creditors, should spend them before the year was out. I have now gone through the several means of economy proposed; but, with regard to the sinking fund, I must say that not to have effected any reduction of the debt for ten years, and to continue fifteen years longer in the same course as proposed, is, if I may be allowed the expression, walking blindfold on to bankruptcy. I know you do not intend to do so; but it would be prudent not to incur the risk. As to any great economy in the army, I do not see how it is to be accomplished. In fact the only means of realizing any economy are, in my opinion, the evacuation of Mexico and the restriction of public works. Now, to draw out the balance, have you the 2,086 millions required for your three Budgets? If you have, go on; if not, begin at once to economize. All your resources amount to only 1,904 millions, so that you still want 182 millions. Against that sum you set 127 millions from the sinking fund, eighteen millions of supposed surplus on the Budget of 1865, in which the committee has no faith; with 27,400,000*f.* from the Mexican indemnity, seven or eight millions from Cochin China, and other receipts of small amount. This is all you have towards the 182 millions. But shall you get the 27,400,000*f.* from Mexico? You inserted in the Budget of 1864 fifty-four millions of Mexican securities, which were calculated at sixty-three, but are now worth only forty-four. Will you sell them at that price? This resource having failed in the Budget of 1864, how can you expect to be paid the twenty-seven millions of 1865? The Minister of Finance has also taken twenty-two millions from the Army Dotation Fund, but that cannot be

regarded as receipts. In fine, you have only 1,904 millions of receipts, and your expenditure amounts habitually to between 2,200 and 2,300 millions, and this deficit you only cover by means of the sinking fund and chimerical receipts. It will never do for the State thus to represent the finances to be flourishing when they are not, like the directors of certain joint-stock companies, who distribute dividends which the state of their affairs does not justify. Be sure of one thing; when you engage in unlimited expenditure, apparently unaware of the course you are taking, it is our duty to tell you that you are on the road to ruin. You will be obliged either to fail in the engagements you have contracted in the name of France, or to have recourse to excessive taxation. I ask your pardon for speaking so warmly, but it is impossible to treat a graver or more interesting subject. I repeat that you are running towards the double rock, either of failing in your engagements, or of rendering inevitable the imposition of onerous taxes which may give rise to deplorable divisions. I adjure you to reflect most seriously on this state of affairs. You are on the brink of a financial gulf if you persist in the present course. I ask pardon for distressing you, but it is my duty to tell you the truth, and I tell it, whatever the result may be.

theory without its being supposed that it gave advantage to one party or to the other party. In the present circumstances of our country, and as the majorities of the two houses are of different politics, it was perfectly clear that any bill that gave the least advantage, aye, the weight of the dust in the balance, to either party, could not become the law of the land. Therefore it was that we did not attempt to do what the Senator from Massachusetts thinks is so easy to do, namely, to interpret the Constitution in a statute. It would have been the most idle work that ever sane men attempted had we tried to do any such thing. All that we could do was to constitute a tribunal as honest and impartial and fair as we could make it, as likely to be intelligent and learned and honest as we could find, and as likely to command the respect of the country as any we could frame, and submit to that as we submit to our supreme judicial tribunal, the Supreme Court of the United States, the constitutional questions that are involved in this subject. Is there anything strange or novel in that? Is there a constitutional question or can there be one that we do not submit to the final arbitrament of the Supreme Court of the United States? In a case like this, where there is no opportunity of any such submission, where such a submission would be of doubtful constitutionality in view of the power conferred by implication at least upon Congress, is there anything strange in getting the aid, the advice, the judgment of a tribunal so carefully framed to make it honest, to make it able, to make it learned, to make it command the respect of the country, as the tribunal provided for in this bill? Is there anything strange in that, and especially is there anything strange in it when the two houses of Congress, being charged with this great duty, reserve the power to overrule the decision of that tribunal and to decide otherwise, if the two houses consider its decision to be wrong? I should like to know where there is anything that is justly subject to censure in a proposition like that.

But I said that I would state some of the conflicting opinions upon the interpretation of the Constitution to show with what your committee had to grapple, and to show what would be the field of inquiry upon which we should have to enter if we were to take the suggestion of the Senator from Massachusetts and proceed to interpret the Constitution by statutory provisions. Let us see what they are. One proposition is that both houses must concur to count the vote. That is a proposition very strongly and

very logically supported by able men. On the other hand, it is said that the true interpretation is that both houses must concur to reject a vote. Right upon that fundamental question, so important, there is a direct antagonism of opinion. That is number one.

Let us go to number two. It is said that the two houses act as one body, as a joint convention, in counting the vote, and the opposite opinion is that they act as separate organized bodies. The first opinion had the sanction of the great name of Mr. Jefferson and nearly all his supporters in 1800. The second proposition, directly antagonistic to the first, had the support of the more practical men of later times, and, indeed, it had the opinion of the party in the majority in 1800 in the Government. There is the second case of directly antagonistic opinions.

Let us proceed to a third, that the House of Representatives is the sole judge whether there has been an election, and the opposite opinion is that the House is not the sole judge, but that the Senate has an equal right to decide. What more important question than that was or could be mooted? What question more fundamental in its character could be considered? And yet here are the most antagonistic opinions upon it. Writer after writer, men who have been chief-justices of the supreme courts of their States, men who have held positions in the highest judicial tribunals of the land, are out in elaborate opinions on one side or the other side of that great question. How are you to decide that in a bill, and expect it to pass both houses of Congress?

That is the third. Let us proceed to the fourth; that touches the amendment. It is that it is competent to go behind the certificate of the governor, and the directly opposite opinion that it is not competent to go behind the certificate of the governor.

The fifth is that it is competent to go behind the decision of a canvassing or returning board, and in opposition that it is not competent to do so. Are you going to decide that question, and are you going to decide that in a bill? The Senator from Massachusetts intimates that if his amendment be put in the bill there are certain Senators here who will not vote for it. He is quite right. He knows he is right. He knows it would not get one vote on this side of the Chamber and it would not get one vote of a particular party in the other end of the Capitol, and yet he urges it, and still he talks about being in favor of the bill. Why, sir, upon that question and upon other questions we

are obliged to submit in the first instance to this tribunal, composed as it is, to decide, reserving to ourselves power to reverse its decision if the two houses can agree to reverse it.

This question of going behind a returning board has a great many points in it. The Senator from Massachusetts seems to think that the only point in going behind a returning board is whether we can go clear to the bottom and find out how seven millions of people vote. If he says that he is opposed to that, I say, So am I. But that is one thing. Going behind the decision of a returning board is quite another thing. And that brings me to notice this point of difference. It is held by some that the decision of a returning board may be impeached for want of jurisdiction and by another set that it cannot be. I commend that to my friend from Massachusetts who is a lawyer. On the one side it is said that every act done by any tribunal from the highest court in the country to that of a single individual, if it is beyond his jurisdiction, is utterly null and void, and that returning boards are no exception to this rule, and if they, beyond their jurisdiction, *ultra vires*, undertake to disfranchise people, every act of disfranchisement is utterly null and void. On the other hand this proposition is denied. Let me submit to my friend from Massachusetts that the decision of the proposition the one way or the other does not take him down to the seven millions of voters who cast their votes at the last presidential election, nor one step toward it. Furthermore, let me tell him that that does not even touch the integrity of the returning board, for, if these returning boards had been composed of the eleven Apostles after Judas Iscariot had hanged himself, and were they as pure as human tribunals could be, yet if they went beyond their jurisdiction, in the opinion of some men their acts would be utterly void. . . .

Take this honest, learned, impartial tribunal, says the bill; let them examine the case and give us their judgment upon it. When that judgment comes from a tribunal of this character in favor of one of these returns, it creates a presumption in its favor that ought not to be overthrown except by the concurrent voice of the two houses. It creates a presumption in its favor as strong, if not stronger, than that which existed in favor of a single return; and that is the philosophy of this bill. It is the presumption in favor of a return, so as not to deprive any State of its vote; that presumption which exists where there is but one return, or that presumption which is created by the decision of

this tribunal, which shall not be overthrown except by the concurrent voice of the two houses. But it is said: "Well, now, that is practically to leave it to the tribunal. Nay, further, that is practically to leave it to one man." Why, Mr. President, suppose it were left to this Senate alone, might not the vote be thirty-five against thirty-six, and then would it not be the thirty-sixth man that settled it? Suppose you were to leave it to five hundred and one men and there were two hundred and fifty on one side and two hundred and fifty-one on the other, might you not just as well say it is the one-man power? Why, sir, there is nothing in that at all.

Nor does it militate against the constitutionality of this bill one particle that in the present state of affairs — that is to say, with two houses having different political majorities — practically the decision of that tribunal may settle the question. That does not militate against the constitutionality of this bill in the slightest degree. You might just as well say that it would militate against the constitutionality of a law if you were to provide that a case involving a constitutional question might be appealed from the Court of Claims up to the Supreme Court.

It might be said: "Why, the practical effect will be that, as the judges of the Supreme Court are six republicans certain and two democrats, and one that cannot be counted, therefore, as a matter of course, the judgment will be in favor of the republican interpretation of the Constitution." Would that be any argument against a bill conferring jurisdiction on that court? Where do you find in the Constitution anything about the politics of the members of the Supreme Court? Where do you find in the Constitution anything about the politics of Senators on this floor? Where do you find in the Constitution anything about the politics of members of the House of Representatives? And can you say that a bill is unconstitutional because it may so happen that the court that is to decide the case, be it the Supreme Court of the United States, or a circuit court, or a State court, or a congressional tribunal, will happen to be composed of more members of one political party than the other? That is not constitutional reasoning. That is politicians' reasoning; that is office-holders' reasoning; that is office-seekers' reasoning; but that is not constitutional reasoning. This is the act of the two houses, and this bill contemplates nothing else; and it is just as much in a constitutional sense the act of the two houses and

the decision of the two houses as if both houses were of the same political complexion, and no man who is a lawyer can deny it; and therefore it is a simple absurdity in any man, reasoning as a lawyer, to say that this bill is an abdication of the powers of the two houses.

## VESTED RIGHTS AND THE OBLIGATIONS OF CONTRACTS

(From a Speech on the Pacific Railroads, Delivered in the United States Senate, January 30th, 1877)

A STATE government cannot impair the obligation of a contract. Why? For two reasons. First, I know of no constitution of a State that confers any such power upon a legislature, and in regard to State legislatures as in regard to Congress, they have only such powers as are delegated by the Constitution; but in the second place, every State is expressly prohibited by the Constitution of the United States from passing any law that will impair the obligation of a contract. Therefore no State legislature has any such power. Congress has no such power for the simple reason that it has never been delegated to it. The Constitution has not delegated any such power; and therefore, if this bill reported by the Judiciary Committee would impair the obligation of a contract, it would be a bill which we should have no authority in the world to pass, for no such power is delegated to us. But is it any such bill as that?

It has been said, further, that we have no right to destroy vested rights, and decisions have been read of courts in these very words, or words of similar import, where a reservation of right to amend, alter, or repeal a charter is involved, and the courts have said there is some limitation to this power. What limitation have they put upon it? That in the exercise of the power you must not destroy vested rights that have been created under the charter, nor impair the obligation of contracts that have been created under it. When the courts said you are not to destroy vested rights created under the charter, or impair an obligation of contracts created under it, did they mean that you are not to touch the contract between the Government and the corporation itself, its charter? No, sir, nothing of the kind; there was no such idea as that. They never intended it. If the Union Pacific Railroad Company has bought ground for a depot, it is

vested in that corporation. Congress cannot amend the charter so that that land which now belongs legally and equitably to that corporation shall hereafter belong to Mr. Mitchell or Mr. Thurman. It cannot do such a thing as that any more than you can pass a law to take my dwelling house from me without compensation and give it to my friend who sits before me. The right of property is vested in that corporation in that ground that it has acquired under and in pursuance of its charter, and Congress has no right to confiscate it or take it unless it is taken for public use, and upon making due compensation therefor. So, too, if that corporation has created obligations, as it has by the millions, as it has by issuing its bonds by making a first mortgage on its road, all in pursuance of the law, we cannot, under the power, alter or impair the obligation of its contract and thus defraud its creditors. So, too, if persons have become indebted to the corporation, if they have made contracts with the corporation under which the corporation has rights, we cannot, by our alteration or amendment or repeal of its charter, destroy the obligation of those contracts and thus confiscate the property of the company. Nobody pretends for any such thing as that; but when it comes to the question of the contract between the Government and the company, to wit, the charter, there are but two parties to that, the Government on the one side and the corporation upon the other side. If the corporation has assented beforehand that the Government may alter that contract, its assent given beforehand is just as good as if given after an alteration.

. . . . . .

When a charter is passed and contains this reserved right to alter, amend, or repeal, and the company accepts the charter with that reservation in it, it is an assent beforehand on the part of the company that the Government may exercise that right, although in so doing it does alter the charter or does modify it, so long at least as the general objects of the charter are observed. Certainly they have given to Congress the right to do this. Now, what say the court about it? The true principle is laid down in the case of Tomlinson *versus* Jessup by the Supreme Court. The case will be found in 15 Wallace. I read from page 458:—

The power reserved to the State by the law of 1841 authorized any change in the contract as it originally existed, or as subsequently modified, or its entire revocation.

And here I may say to the Senate, the power reserved in that case was not one particle broader than the power that is reserved to Congress in this case.

The original corporators or subsequent stockholders took their interests with knowledge of the existence of this power, and of the possibility of its exercise at any time in the discretion of the legislature.

Now further: —

The object of the reservation, and of similar reservations in other charters, is to prevent a grant of corporate rights and privileges in a form which will preclude legislative interference with their exercise, if the public interest should at any time require such interference.

Let me read that again: —

The object of the reservation, and of similar reservations in other charters, is to prevent a grant of corporate rights and privileges in a form which will preclude legislative interference with their exercise, if the public interest should at any time require such interference. It is a provision intended to preserve to the State control over its contract with the corporators.

That is what it is. It is to prevent the contract from being irrepealable. It is to prevent the contract from being taken out of and from under the control of the legislature. On the other hand, it makes it completely subject to the control of the legislature in its discretion, so that in the exercise of its discretion it does not violate the rights that are vested under it, does not violate rights of property or impair the obligation of contracts; but as to this contract itself, this particular contract, the charter, this contract between the Government and between the corporation, the object of the provision is to leave this contract subject to the legislative will. I read again: —

It is a provision intended to preserve to the State control over its contract with the corporators, which without that provision would be irrepealable, and protected from any measures affecting its obligation.

Without that it could not be affected by any measures affecting its obligation, but with this reservation its obligation may be affected. That is the meaning of what is here said by the

Supreme Court of the United States. Your committee, in commenting on this case, say: —

This decision places the reservation upon its true ground. It gives to the legislature the right to interfere when the public interests require interference. It preserves to the State control over its contract with the corporators, and the latter, by accepting the charter, agree in advance that such control shall exist. No one will deny that if the bill now reported should become a law and be assented to by said railroad corporations, it would thenceforth be binding upon them. But their acceptance of their charter, containing the reservations aforesaid, is an assent beforehand to the bill now proposed, or to any similar measure that Congress in its discretion shall deem necessary for the protection of the Government or the creditors of said corporations.

Citing Pennsylvania College cases, 13 Wallace, pp. 213, 214: —

In this latter case the court spoke of the reserved right to alter or amend a charter as a —

I use the very language of the court —

reservation to the State to make any alterations in the charter which the legislature in its wisdom may deem fit, just, and expedient to enact.

No language could be broader than that as to our power. First, I ought to refer to the case of Sherman *versus* Smith, 1 Black 593. That was a case that came from the State of New York. That was a case in which the legislature of New York imposed very heavy obligations upon the stockholders in a corporation, greater than those that existed at the time the charter was granted; and yet the highest court in New York and the Supreme Court of the United States, I believe by a unanimous vote of both courts, sustained that act as constitutional and within the competency of the legislature, the power of repeal, alteration, and amendment having been reserved to the legislature of that State.

But I want to speak still further of the scope of our power under this reserved provision. In Miller *versus* The State, 15 Wallace 498, the Supreme Court said: —

Power to legislate, founded upon such a reservation in a charter to a private corporation, is certainly not without limit, and it may

well be admitted that it cannot be exercised to take away or destroy rights acquired by virtue of such charter —

That is, the rights conferred on a corporation by the charter and rights that have been acquired under and by virtue of the charter, as I have already illustrated —

and which by a legitimate use of the powers granted have become vested in the corporation, but it may be safely affirmed that the reserved power may be exercised, and to almost any extent, to carry into effect the original purposes of the grant or to secure the due administration of its affairs so as to protect the rights of its stockholders and of creditors, and for the proper disposition of the assets.

Now, sir, I want nothing more than that to sustain this bill. The Supreme Court say that this power may be exercised to almost any extent to secure the due administration of its affairs, "that is, the affairs of the corporation." That is one object of the bill of the Judiciary Committee. Again, "or to protect the rights of its stockholders and of creditors." That is another object of this bill. Again, the contract is "for the proper disposition of its assets"; and that is the third object of this bill. The bill does not go one hair's breadth beyond the accomplishment of these objects, which your Supreme Court said in the most emphatic words it is competent for us to provide for.

Again, in Holyoke *versus* Lyman, 15 Wallace 500, the Court held that —

The provision of the Revised Statutes of Massachusetts, chap. 44, § 23, and General Statutes, chap. 68, § 41, declaring that acts of incorporation shall be subject to amendment, alteration, or repeal at the pleasure of the legislature, reserves to the legislature the authority to make any alteration or amendment of a charter granted subject to it, which will not defeat or substantially impair the object of the grant or any rights vested under it, and which the legislature may deem necessary to secure either that object or other public or private rights.

What more can we want than that to justify this legislation? The whole argument against it and the cases which have been cited in support of that argument go upon a total misconception of what the courts mean. When they speak of vested rights they do not speak of the franchises granted by the charter; they speak of property acquired by the corporation, contracts made by

third persons with the corporation. They do not speak of that contract between the Government and the corporation which is called its charter. It is enough to say in reference to that, that we may go to almost any extent to secure the due administration of the affairs of the corporation, to protect its creditors, and to provide for the disposition of its assets, and that it is an assent given beforehand by the corporation when it accepted the charter that that discretion shall rest with the legislature, and that it shall continue and maintain its control over the contract, and the contract shall not therefore be considered irrepealable or not subject to modification.

# JOHN HORNE TOOKE

(1736–1812)

JOHN HORNE TOOKE, the celebrated author of the 'Diversions of Purley,' wrote philological and philosophical speculations during the occasional calms of a tempestuous life. He was an ultra-Democrat in England long before the time English society was ready to treat such views as his with even an approach to patience. After the battles of Concord and Lexington, he was active in raising a subscription for the widows of the Americans who were "murdered by the king's troops," as he said in an advertisement published at the time. For this he served a year in prison and was obliged to pay a fine and costs amounting to £1,200. It would be wearisome to follow him into the details of his subsequent conflicts with the authorities. His arrest for treason in 1794 was due to his sympathy with the French Revolution. It seems that the prosecution was intended to harrass him and to intimidate others rather than to convict. He was acquitted after a six-day trial, in which it must be confessed that he was not a very heroic figure. He resembled Voltaire, not only in his hatred of oppression, but even more in his readiness to do anything required of him to escape martyrdom. It is true that he never absolutely recanted his principles, but if he had done so a dozen times he might have thought of his actions only as a means of outgeneraling his opponents so as to get a better opportunity to defeat them. As he himself intimated at his trial for treason in 1794, he had little of the martyr in him.

He was born at Westminster June 25th, 1736. His father, John Horne, a well-to-do poulterer, educated him at Eton and Cambridge for the Church, and he was for several years vicar at New Brentford. Giving up the Church for politics, he studied law, but the prejudice against him among English Conservatives was so strong that he was not admitted to the bar. He had no regular income. Mr. Tooke, of Purley, whose name he adopted in 1782, was his friend and patron. From 1801 to 1802 he was a Member of Parliament, but his greatest success was achieved as a writer of political letters and pamphlets. Some have suspected him of being the author of the 'Letters of Junius,' though without good grounds. He died March 18th, 1812.

## ON THE «MURDERS AT LEXINGTON AND CONCORD»

(From the Speech Delivered at His Trial for Libel, July 4th, 1777, before Lord Mansfield at the Guildhall, London)

*Gentlemen:—*

I HAVE been more concerned in my room than I have with the commerce of men in the world; and I read there when I was very young that when Solon was asked which was the best government, he answered: «Where those who are not personally injured, resent and pursue the injury or violence done to another as he would if done to himself.» That, he said, was the best kind of government; and he made a law empowering men to do so. Now, gentlemen, we are happier, we are under a better government; for our laws enjoin us to do what he only empowered men to do. By our laws the whole neighborhood is answerable for the conduct of each; our laws make it each man's duty and interest to watch over the conduct of all. This principle and motive has been represented in me as malice. It is the only malice they will ever find about me. They have, in no part of my life, found me in any court of justice upon any personal contest or motive whatever, either for interest, or profit, or injury. I have kept you too long to say a tenth part of what I intended to say, and I believe it is not necessary; I shall, therefore, pass over many things that would give to some pleasure and to some pain. But as they are of that nature that I shall give myself the liberty of using upon other occasions as I please, doing no wrong, I can the more readily forbear them here. But, gentlemen, in this matter of charging the king's troops with murder, there is a very striking circumstance, and that, too, I suppose the Attorney-General will have forgotten. It is well known that amongst other oppressions and enormities which gave me pain, murders (without any contest and dispute) committed and pardoned gave me much. I caused the soldiers in St. George's Fields to be prosecuted—the king's troops—for murder. I took them up; it was called no libel by the then Attorney-General; no libel against the government. They were tried for murder. I did intend to have told you how they escaped; but it matters not. They were tried; they were charged with murder; and that not only in a court of justice; I advertised it, I signed it with my name; the same printer (I forgot to ask him as an evidence; indeed, I had before asked

him for a newspaper that contained the advertisement, but he could not send me one)—he could have proved it, but it is notoriously known I charged that murder upon the king's troops with my name. It was not thought a libel then; it was thought a very great affront; for those troops had been thanked, in the king's name, for their alacrity upon the occasion. What then, if the king's name had been abused to thank men for their alacrity, what then? (I did not mention that, but I mentioned the murder committed.) There was murder committed. With my eyes I saw many barbarities committed. I might have been amongst the slain. Shall I not mention what I saw with my own eyes? Shall I have no tongue nor understanding but in a court of justice? I certainly will. What followed? Soon after that Mr. Stanley, a considerable officer in the State, moved in the House of Commons for an Act of Parliament to take away from the subject the right of appeal in the case of murder; because I had caused appeals to be brought; that is, I assisted the parties who brought them. This motion was supported by Mr. Selwyn. Mr. Dyson, a lord of the treasury, declared himself to be entirely of their opinion;—"because the right of appeal for murder was," he said, "a shackle upon the king's mercy"; but he begged a delay until the next winter, when he promised it should have his assistance; that so the motion might not appear in the journals of the House all summer to alarm and terrify the minds of the people before that bill could be passed into a law, "for which, at present," he said, "there was not time to avoid its alarming the people before it could be passed into a law!"—Well, it did not stop there; some notice was taken of this, but not much, as it was for that time dropped. But this motion was revived some time after; Mr. Rose Fuller (a better man to come forward upon such an occasion) gave notice of a renewal of that motion in the House of Commons; he was supported by the Attorney-General. I was alarmed at that (and I will prove it; I am not now asserting what I will not prove). I instantly published what they might have called a libel, if it had not been upon such tender ground. I sent it to the public papers with the initials of my name; I asserted in it such matter as could not fail to make it be known to come from me. That did not content me; I requested an honorable Member of that House, who is now in court, Mr. Alderman Oliver, to present my compliments to Mr. Rose Fuller and the Attorney-General, and to inform them that upon that

ground I was ready to go, even to death; that I would stick at nothing; that on such an occasion I feared no prosecution for libel. I entreated them to tell me when they would bring the motion on, that I might be present to hear what passed, which I would faithfully report and freely comment upon. The Attorney-General, in his support of that motion, had reviled the right of appeal in the subject for murder as a Gothic custom. "Gothic" was the invidious charge he brought against it; it was "a Gothic custom!" Why, gentlemen, so are all the rights and liberties and valuable laws which we have; they are all "Gothic." But this was to be plucked out from amongst the rest; and because it is "Gothic" that men should be punished for murder, because it is a shackle upon the king's mercy, murderers are not to be punished. . . .

I believe, gentlemen, these murders will never be forgotten as long as the history of this country shall remain; for the murders of that day, the nineteenth of April, have been productive of all that slaughter which has happened since, and of all that which is still to come. Suppose, then, gentlemen, if you please, that I had charged the king's troops with murder. Well, what then? How follows the libel against the king and the government? For you must take notice that the accusation in the information is not that I have charged the king's troops with murder. That would not have supported an information; an information could not be supported upon that charge. The charge against me is, that I have charged the king and the government with murder. And to-day the gentleman has spoken a little more plainly than he did before. To-day he says that "I have charged the persons employed by government with being guilty of murder; and consequently those who employed them are involved in the same guilt!" This is the charge against me; but how does he draw the consequence? Is that to be found in the advertisement? Does every man that says a soldier has committed murder involve the king and the government in the commission of that murder?

Gentlemen, I have not, in my advertisement, even charged the ministers. But if I had, I hope the ministers or the troops are no part of that government which you acknowledge; at least I am sure the troops do not make a part of that government under which I will ever silently live. Indeed, gentlemen, Mr. Attorney-General seems to think the troops something more

sacred even than government; for he said, in aggravation of the charge, that it was not "only a libel against government, but even against the soldiers in our service." If he should happen to forget this also, the counsel who answered him at the time, and took notice of it, I hope will remember it—"not only a libel against the government, but even against the soldiers in our service"; so that the troops are something more than the government! I believe they are intended to be made so; for ours is a government of laws, not a government at will, either by troops, commanders in chief, ministers, or kings. Consider, gentlemen, that the king's troops are only tolerated in this country for the purpose of foreign defense. They have been but of late years tolerated in time of peace. They have only an annual existence; which existence expires yearly, unless regenerated by yearly vote. Now, gentlemen, consider! Hanoverians, Hessians, Brunswickers, Waldeckers, the very Indian savages (for of these are the king's troops now composed), all these, by Mr. Attorney-General's doctrine, make a part of the blessed government of this country! and to charge any of the king's troops with murder is to be guilty of a seditious libel against the king and the government!

Gentlemen, reflect; have not the king's troops been charged with murder? Does there pass a year where some of them are not convicted for murder? And in the last good old king's reign, were they not executed, too, for murder, when they were convicted? It is too notorious. A libel to charge the king's troops with murder! I believe nobody ever dreamed it was a libel against the government, or even against the ministry, to say that some of the king's troops have committed murder. If such a charge is false and malicious (and a false and malicious charge may be made against the troops as well as against another person), it may be a libel against them, just as it would be against any other of the king's subjects; and they must seek the same remedy. They are not nearer, nor I hope dearer than we are; than any other of the king's subjects. How long have the troops been those privileged characters? Suppose I had said (as I believe I might truly), and as I know it has been said, that many murders have been committed by the king's patents; does any man think that the Attorney-General would have prosecuted that as a seditious libel against the king and government? And yet the king's patents are just such as he pleases to make them; they are of

his own begetting, and much more as he pleases to make them, than even his children. But the troops, what are they? What are they, whose origin we know? What are those who are of our own country? Many of them felons, taken from gaols and rescued from the gallows. Of these are the king's troops composed. And is it wonderful to charge the king's troops with murder? But it is too ridiculous; I am sure the Attorney-General does not, he will not, pretend to say that every particular charge against some soldier or soldiers for murder is a seditious libel against the king and government! He will not say so. Suppose, gentlemen, some of the king's peace officers had been charged with murder. It has often happened; constables and peace-officers may exercise their authority in an illegal manner; they may kill men instead of arresting them. They have done it; they have been sometimes tried for it. Are not they as much the king's officers as the troops? Something more so, I suppose; for they are the officers of the real government of the country,—the officers of the laws; and yet was ever any man prosecuted, or would any man now be prosecuted, if he charged a pack of constables with having committed murder? Would that be a libel against the king and the government? It could not be. Gentlemen, suppose some of the soldiers, as brutal as "Kirk's lambs," should renew again the horrid barbarities which they committed in the West; would it then be a seditious libel to say that they had committed murder? I do not say nor know that the king has at present among his troops any lambs of Kirk's breed; but I am sure he had in 1768, because I then saw them not only commit murders, but other barbarities which a savage would hardly commit. I saw one of the king's troops run his fixed bayonet under the shoulder blade of a poor man, because he could not get under a rail quickly enough out of his way; I saw a woman with child wounded; a gingerbread woman murdered, as she sat at near a quarter of a mile distant. Were they not murdered? Were not these murders committed by the king's troops? By as numerous a body of the king's troops as those who committed the murders at Lexington? . . .

Gentlemen, I will be bold to say that the whole army together, foreigners and natives, with all their officers, and the commanders in chief,—aye, and the king himself at their head,—is no part of the government of this country; nor can they lawfully put any man to death. I said, gentlemen, some time ago,

that there never had before been brought a prosecution upon such a charge as this. Now, it is true that a part indeed of the charge against honest John Lillburne, upon one of his trials, was that he had accused the soldiery of having committed murder; and his words were (besides the word "murder" which he expressed at length), by "shedding the blood of war, in the time of peace"; and he had likewise called their general by name, a murderer. But, gentlemen, it must be remembered that this prosecution was brought when the army were indeed, *de facto*, the government; when there was neither king nor parliament; but the army governed alone. Then, indeed, it was natural enough to call the troops the government and to reckon it a seditious libel against the government to charge them with murder. Since that time the Attorney-General will find no such prosecution. However, gentlemen, even then a London jury, faithful to their duty, in spite of the judges and the Attorney-General (who then held the very same language which the Attorney-General holds now), in spite of all threats, at that perilous time, a London jury in this very court, sitting in those places where you now sit, did justice to their own consciences, and they acquitted him, as you must me, unless you choose to exchange the laws of the land, and have military execution take place in this country.

# ROBERT TOOMBS

(1810–1885)

WHAT Wendell Phillips was to New England during the critical decade between 1850 and 1860, Robert Toombs was to Georgia and the Cotton States — the most fluent and forcible exponent of their extreme radicalism. In political campaigns, when the leaders on one side and the other were attempting to hold a middle ground, Phillips would be quoted at the South and Toombs at the North to demonstrate what each side denounced as the false pretense of conservatism and fraternal affection made by the other. Toombs was one of the readiest speakers who ever took part in American public affairs, ranking with Phillips himself in facility of expressing whatever he had to say. He was at one signal disadvantage, as compared with Phillips, however, for, although an extreme radical in his speeches, he was really a conservative in his training and antecedents. He was one of the not inconsiderable number of far-seeing Americans who felt that the acquisition of territory by conquest would result in civil war. As he declared on the floor of the House in his speech of February 27th, 1850, on the admission of California, he was opposed to the acquisition of territory from Mexico. "I foresaw the dangers of this question," he says. "From the day that the first gun was fired on the Rio Grande until the act was consummated by all the departments of this Government, I resisted all acquisition of territory . . . a policy which threatened the ruin of the South and the subversion of this Government." After having been contemptuously overruled — for, as he himself said, he had "no support from the South and but half a dozen votes from the North," — he seems to have concluded that war was inevitable. His tone became and remained militant. He was a believer in secession, both as a right and as a policy, and between 1850 and 1860 advocated it without reservation. He was born in Wilkes County, Georgia, July 2d, 1810. His first entrance into politics was as a Whig, and he represented that party as long as it kept its standing in national affairs. He served in the House of Representatives from 1845 to 1853, leaving the Lower House for the Senate, where he remained until the secession of Georgia in 1861. He was a member of the Confederate Congress, Secretary of State in the Confederate Cabinet, and Brigadier-General in the army. After the fall of the Confederacy he

lived abroad for several years. When he returned in 1867 he refused to take the oath of allegiance to the United States Government and never afterwards took an active part in public affairs. He died December 15th, 1885.

## TERRITORIAL ACQUISITION AND CIVIL WAR

(From a Speech in the House, February 27th, 1850, on the Admission of California)

IN 1803 the United States acquired Louisiana from France by purchase. There is no special reference to slavery in the treaty; it was protected only under the general term of property. This acquisition was soon after the treaty divided into two Territories — the Orleans and the Louisiana Territories — over both of which governments were established. The law of slavery obtained in the whole country at the time we acquired it. Congress prohibited the foreign and domestic slave trade in these Territories, but gave the protection of its laws to slave owners emigrating thither with their slaves. Upon the admission of Louisiana into the Union, a new government was established by Congress over the rest of the country under the name of the Missouri Territory. This act also attempted no exclusion; slaveholders emigrated to the country with their slaves, and were protected by their government. In 1819 Florida was acquired by purchase; its laws recognized and protected slavery at the time of the acquisition. The United States extended the same recognition and protection.

I have thus briefly reviewed the whole territorial legislation of Congress from the beginning of the Government until 1820, and it sustains my proposition, that within that period there was no precedent where Congress had exercised, or attempted to exercise, any primary constitutional power to prevent slaveholders from emigrating with their slave property to any portion of the public lands; and that it had extended the protection of its laws and its arms over such persons, in all cases except in the Northwest Territory, where it was fettered and restrained by an organic law established before the formation of our present Constitution. In 1820 this power of Congress over the subject of slavery in the Territories was, for the first time, distinctly and

broadly asserted. It was sternly resisted by the South; the struggle convulsed the Republic; it resulted in what is called a compromise, by which Missouri was finally admitted into the Union without any restriction against slavery in her constitution — and slavery was prohibited in all that part of the territory acquired from France, not within the State of Missouri, lying above 36° 30′ north latitude. The South made this concession to union and harmony. It scarcely remains to be seen whether this shall be an exception to the general rule, that concessions to unjust demands are fruitful of nothing but future aggression. We are now daily threatened with every form of extermination if we do not tamely acquiesce in whatever legislation the majority may choose to impose upon us in relation to this subject. The gentleman from Massachusetts [Mr. Mann] threatens us with three millions of hostages (he means substitutes) in the persons of our slaves, to enforce Free-Soil insolence. The gentleman from Illinois [Mr. Bissell] threatens us with twice, thrice, yea, four times nine regiments ready to immolate themselves in this cause under pretext of supporting the Union. These are brave words, even for a militia colonel; Illinois can march down the regiments, she has sufficient numbers — how many of them she will march back again will depend upon ourselves. Gentlemen may spare their threats: he who counts the danger of defending his own honor is already degraded; the people who count the cost of maintaining their political rights are ready for slavery. The sentiment of every true man at the South will be, We took the Union and the Constitution together — we will have both or we will have neither. This cry of the Union is the masked battery from behind which the Constitution and the rights of the South are to be assailed. Let the South mark the man who is for the Union at every hazard and to the last extremity; when the day of her peril comes he will be the imitator of that historical character to whom the gentleman from Pennsylvania [Mr. McLanahan] referred, "the base Judean who, for thirty pieces of silver, threw away a pearl richer than all his tribe."

The South acquiesced, sir, in this compromise. Texas being the next acquisition after its adoption, it was applied to that country. Our claims to Oregon being settled, and all of that country lying above the compromise line, the North applied the prohibition of slavery to the whole of that country, and the South acquiesced in it. Mr. Polk placed his approval of the bill upon

that express ground. The North, after applying the compromise line to Texas, now seeks to get rid of it by restricting the just territorial rights and limits of Texas. In this we think we have just cause of complaint; but the gentleman from Ohio [Mr. Campbell] manufactures out of this transaction two of the main counts in his indictment against the South. That gentleman congratulates himself upon the fact that Ohio has schoolhouses and schoolmasters at home. From the singularly inaccurate account which he gave of that very recent and marked event in our public history, I could not resist the conclusion that Ohio needed her schoolmasters. That gentleman charges the annexation of Texas upon the South, and through that policy, he says, Northern labor was stricken down by the overthrow of the tariff of 1842 by the votes of the Senators from Texas.

[Mr. Campbell here stated that he said it was Southern policy.]

Neither allegation is supported by the facts. When Mr. Tyler attempted to annex Texas by treaty, it was strongly urged upon the South on sectional grounds by distinguished gentlemen connected with his government. On its presentation to the Senate it was defeated by a large majority, embracing both Northern and Southern men. It was then taken up by the Democratic party as a party measure; it was declared by them to be a great American question. Mr. Van Buren was overthrown at Baltimore for opposing it; Mr. Polk was nominated for the presidency mainly for his support of it. Upon every Democratic flag throughout the Republic — North, South, East, and West — were inscribed "Polk, Dallas, Texas, and Oregon." The Democratic party triumphed; the Whig party of the South combated it with a fidelity equal to that of the North; both divisions of the party were overthrown in their respective sections, and a majority of the people at the North as well as the South sanctioned the annexation of Texas. After this decisive public verdict in its favor, several Whigs from the South voted for it; it had become a mere question of time and terms of annexation. Their constituents were deeply interested in the terms. I then approved and now approve their course. The tariff of 1842 fell by the same means; hostility to it was inscribed upon those same banners; it became a cardinal principle of Democratic faith; it was promulgated by the same party convention, in which the whole North was not only represented, but in which it had an

overwhelming majority. If the Act of 1846 is undermining Northern industry, it is no fault of ours. I and every other Southern Whig, except my friend from Alabama [Mr. Hilliard], voted against it. I have never yet given a sectional vote in these halls. I never will. Whenever the state of public opinion in my own section shall deter me, or the injustice of the other shall incapacitate me from supporting the true interests of the whole nation and the just demands of every part of the Republic, I will then surrender a trust which I can no longer hold with honor. Neither are the consequences of the Act of 1846 justly chargeable to Texas. Where was the Empire State when that battle was fought and lost? Where was New Hampshire, Maine, Michigan, Indiana, Illinois? Yes, sir, where was Ohio? Your journals will show they were in the ranks of those whom the gentleman now chooses to consider the enemies of Northern labor. If the overthrow of the tariff of 1842 has paralyzed the arm of Northern labor, the suicidal blow was stricken by its own hands.

To return from this digression: Our next and last acquisition was California and New Mexico. They are the fruits of successful war. We have borne our full share of its burdens — we demand an equal participation in its benefits. The rights of the South are consecrated by the blood of her children. The sword is the title by which the nation acquired the country. The thought is suggestive; wise men will ponder upon it — brave men will act upon it. I foresaw the dangers of this question; I warned the country of these dangers. From the day that the first gun was fired upon the Rio Grande, until the act was consummated by all the departments of this Government, I resisted all acquisitions of territory. My honorable colleague before me [Mr. Stephens] and myself, standing upon the ground taken by the Republican party in 1796 against Jay's treaty, voted against appropriating the money to carry out the treaty of Guadalupe Hidalgo. We had no support from the South, and but half a dozen votes from the North. I saw no good prospect of adjusting fairly the question which the acquisition would present. I therefore resisted a policy which threatened the ruin of the South or the subversion of the Government. And to-day, men of the North, these are the alternatives you present us. We demand an equal participation in the whole country acquired, or a division of it between the North and the South. For very obvious reasons, founded upon natural causes, we are less solicitous about

the extent of the privilege than the recognition of the principle. The first would most probably be a boon without a benefit; the last is the vital spark of our whole political system, whose extinguishment is death. The North now disavows the principle of division. After getting more than two-thirds of Louisiana, a portion of Texas, and all of Oregon under the Missouri Compromise line of division, she now repudiates it. I am content. Let us stand on original constitutional principles. But let the North remember that when she repudiates the compromise line, she is entitled to take nothing by the legislative precedents based upon that compromise. With this reservation she is not only without a precedent, as I have already shown, for our exclusion from any part of the common territories of the Union, but such an act would be against all well-defined precedents from the beginning of the Government to this day. I have presented you the case of the South as strongly as I am able to do it, as fully as the time your rules allow me will permit. It is fortified by principle, by authority, and by the immutable principles of eternal justice. It is not only supported by the principles of our own Government, but by the fundamental principles of every good government.

All just government is derived from the consent of the governed, and all power exercised without that consent is usurpation. The universal limitation upon all delegated power, whether express or implied, is, that it shall be rightfully and justly used for the common benefit of those who delegate it. No honest, intelligent man can believe, with the Constitution and its history before him, that the slaveholding States intended to confer upon Congress the power to legislate against their slave property in the Territories, or anywhere else. The day that you do it, you plant the seeds of dissolution in your political system. Then the House will be divided against itself, and it must fall. The folly of some, the timidity of others, and, perchance, the treachery of others in the South, may roll back for a season the wave that shall overwhelm and destroy it; but it will be the reflux of the advancing, not the receding tide; it shall gather strength from every breaker, and will finally accomplish its mission. The first act of legislative hostility to slavery is the proper point for Southern resistance. Those in advance may fall — it is the common history of revolutions — but the cause will not fall with them; no human power can avert the result; it will triumph.

Though hostile interference is the point of resistance, noninterference is not the measure of our rights. We are entitled to noninterference from alien and foreign governments. England owes us that much; France owes us that much; Russia owes us nonintervention. You owe us more. You owe us protection. Withhold it, and you make us aliens in our own Government. Our hostility to it, then, becomes a necessity — a necessity justified by our honor, our interests, and our common safety. These are stronger than all human government. Your hostility is aggravated by the causes which you allege in its defense. We had our institutions when you sought our alliance. We were content with them then, and we are content with them now. We have not sought to thrust them upon you, nor to interfere with yours. If you believe what you say, that yours are so much the best to promote the happiness and good government of society, why do you fear our equal competition with you in the Territories? We only ask that our common government shall protect us both equally, until the Territories shall be ready to be admitted, as States, into the Union, then to leave their citizens free to adopt any domestic policy in reference to this subject, which, in their judgment, may best promote their interest and their happiness. The demand is just. Grant it, and you place your prosperity and ours upon a solid foundation; you perpetuate the Union, so necessary to your prosperity; you solve the true problem of Republican Government; you vindicate the power of constitutional guarantees to protect political rights against the will of majorities. I can see no reasonable prospect that you will grant it.

The fact cannot longer be concealed, the declaration of members here proves it, the action of this House is daily demonstrating it, that we are in the midst of a legislative revolution, the object of which is to trample under foot the Constitution and the laws, and to make the will of the majority the supreme law of the land. In this emergency our duty is clear; it is to stand by the Constitution and laws, to observe in good faith all of its requirements, until the wrong is consummated, until the act of exclusion is put upon the statute book; it will then be demonstrated that the Constitution is powerless for our protection; it will then be not only the right but the duty of the slaveholding States to resume the powers which they have conferred upon this Government, and to seek new safeguards for their future security. It

will then become our right to prevent the application of the resources of the Republic to the maintenance of the wrongful act.

The gentleman from Massachusetts [Mr. Mann] says the volcano is raging beneath our feet, that thunders are rolling over our heads, and that thick clouds are surrounding us. If it be true, let the aggressor tremble. We who are contending for a principle essential to our interest, our safety, and our political equality in this Union, can suffer no greater calamity than its loss. This is an appeal from the argument to our fears. I answer that appeal in the patriotic language of a distinguished Georgian, who yet lives to arouse the hearts of his countrymen to resistance to wrong: When the argument is exhausted we will stand by our arms.

## «LET US DEPART IN PEACE»

(From His Last Speech in the Senate, January 7th, 1861)

SENATORS, the Constitution is a compact. It contains all our obligations and duties of the Federal Government. I am content, and have ever been content, to sustain it. While I doubt its perfection; while I do not believe it was a good compact; and while I never saw the day that I would have voted for it as a proposition *de novo*, yet I am bound to it by oath and by that common prudence which would induce men to abide by established forms, rather than to rush into unknown dangers. I have given to it, and intend to give to it, unfaltering support and allegiance; but I choose to put that allegiance on the true ground, not on the false idea that anybody's blood was shed for it. I say that the Constitution is the whole compact. All the obligations, all the chains that fetter the limbs of my people, are nominated in the bond, and they wisely excluded any conclusion against them, by declaring that the powers not granted by the Constitution to the United States, or forbidden by it to the States, belonged to the States respectively or the people. Now I will try it by that standard; I will subject it to that test. The law of nature, the law of justice, would say — and it is so expounded by the publicists — that equal rights in the common property shall be enjoyed. Even in a monarchy the king cannot prevent the subjects from enjoying equality in the disposition of the public property. Even in a despotic government this principle is

recognized. It was the blood and the money of the whole people (says the learned Grotius, and say all the publicists) which acquired the public property, and therefore it is not the property of the sovereign. This right of equality being, then, according to justice and natural equity, a right belonging to all States, when did we give it up? You say Congress has a right to pass rules and regulations concerning the Territory and other property of the United States. Very well. Does that exclude those whose blood and money paid for it? Does "dispose of" mean to rob the rightful owners? You must show a better title than that, or a better sword than we have.

But, you say, try the right. I agree to it. But how? By our judgment? No, not until the last resort. What then; by yours? No, not until the same time. How then try it? The South has always said, by the Supreme Court. But that is in our favor, and Lincoln says he will not stand that judgment. Then each must judge for himself of the mode and manner of redress. But you deny us that privilege, and finally reduce us to accepting your judgment. We decline it. You say you will enforce it by executing laws; that means your judgment of what the laws ought to be. Perhaps you will have a good time of executing your judgment. The Senator from Kentucky comes to your aid, and says he can find no constitutional right of secession. Perhaps not; but the Constitution is not the place to look for State rights. If that right belongs to independent States, and they did not cede it to the Federal Government, it is reserved to the States, or to the people. Ask your new commentator where he gets your right to judge for us. Is it in the bond?

The Northern doctrine was, many years ago, that the Supreme Court was the judge. That was their doctrine in 1800. They denounced Madison for the report of 1799, on the Virginia resolutions; they denounced Jefferson for framing the Kentucky resolutions, because they were presumed to impugn the decisions of the Supreme Court of the United States; and they declared that that court was made, by the Constitution, the ultimate and supreme arbiter. That was the universal judgment — the declaration of every free State in this Union, in answer to the Virginia resolutions of 1798, or of all who did answer, even including the State of Delaware, then under Federal control.

The Supreme Court have decided that, by the Constitution, we have a right to go to the Territories and be protected there

with our property. You say, we cannot decide the compact for ourselves. Well, can the Supreme Court decide it for us? Mr. Lincoln says he does not care what the Supreme Court decides, he will turn us out anyhow. He says this in his debate with the honorable Senator from Illinois [Mr. Douglas]. I have it before me. He said he would vote against the decision of the Supreme Court. Then you do not accept that arbiter. You will not take my construction; you will not take the Supreme Court as an arbiter; you will not take the practice of the Government; you will not take the treaties under Jefferson and Madison; you will not take the opinion of Madison upon the very question of prohibition in 1820. What, then, will you take? You will take nothing but your own judgment; that is, you will not only judge for yourselves, not only discard the court, discard our construction, discard the practice of the Government, but you will drive us out, simply because you will it. Come and do it! You have sapped the foundations of society; you have destroyed almost all hope of peace. In a compact where there is no common arbiter, where the parties finally decide for themselves, the sword alone at last becomes the real, if not the constitutional, arbiter. Your party says that you will not take the decision of the Supreme Court. You said so at Chicago; you said so in committee; every man of you in both houses says so. What are you going to do? You say: "We shall submit to your construction." We shall do it, if you can make us; but not otherwise, or in any other manner. That is settled. You may call it secession, or you may call it revolution; but there is a big fact standing before you, ready to oppose you — that fact is, freemen with arms in their hands. The cry of the Union will not disperse them; we have passed that point; they demand equal rights: you had better heed the demand.

You have no warrant in the Constitution for this declaration of outlawry. The court says you have no right to make it. The treaty says you shall not do it. The treaty of 1803 declares that the property of the people shall be protected by the Government until they are admitted into the Union as a State. That treaty covers Kansas and Nebraska. The law passed in 1804 or 1805, under Mr. Jefferson, protects property in slaves in that very territory. In 1820, when the question of prohibition came up, Mr. Madison declared it was not warranted by the Constitution, and Jefferson denounced its abettors as enemies of the human race.

Here is the court; here are our fathers; here is cotemporaneous exposition for fifty years, all asserting our right. The Black Republican party say: "We care not for your precedents or practices; we have progressive politics as well as a progressive religion. Behold Spooner! We care not for the fathers; we care not for the judges." They have said more: their leaders on this floor have said they will get rid of the court as James II. got rid of the honest judges when they decided against the dispensing power of the Crown. One set refused; he turned them out and put in another; they refused; he turned them out and got another. They mocked the Constitution and the laws, and decided for the Crown. What was the result? He became, and justly, a wanderer and an outcast, and his posterity were wanderers and outcasts, houseless and homeless. The heir of his race — the son of Mary of Modena, the last scion of a perfidious race — died a pensioner of Rome. Read, then, the record of this reckless king, and profit by his example. When you appoint judges to make decisions, you make a mockery of all justice and of all decisions with freemen everywhere. Our ancestors told us how to treat such oppression in 1688. We have not forgotten the lesson.

To come back from this digression, I will now read your proclamation of outlawry from the Chicago platform, to wit: —

"That the normal condition of the territory of the United States is that of freedom; that as our republican fathers, when they had abolished slavery in our national territory, ordained that no person should be deprived of life, liberty, or property, without due process of law, it becomes our duty, by congressional legislation, whenever such legislation becomes necessary, to maintain this provision of the Constitution against all attempts to violate it; and we deny the authority of Congress, of a Territorial legislature, of any individual or association of individuals, to give legal existence to slavery in any Territory of the United States."

There you declare that the treaties made by Mr. Jefferson in 1803 are null, void, and no law; there you declare that the acts by which property in slaves was protected and allowed, both by territorial and congressional acts, in Florida, in Louisiana, in Arkansas, in Missouri, in Mississippi, and in Alabama, were all null, void, and no law. You declare that the decision of the Supreme Court is null, void, and no law; that there is no Constitution but the Chicago platform; yet you propose to come here and

take possession of this Government, and swear to maintain the Constitution with this reading, and you are quite astonished at our having any objections to the peaceable proceeding — at least the Senator from Oregon [Mr. Baker] was, the other day. I suppose that orator has just come out of the woods. I do not know where he has kept himself, if he has never heard any more of this question than he told us. But no matter what may be our grievances, the honorable Senator from Kentucky [Mr. Crittenden] says we cannot secede. Well, what can we do? We cannot revolutionize; he will say that is treason. What can we do? Submit? They say they are the strongest, and they will hang us. Very well, I suppose we are to be thankful for that boon. We will take that risk. We will stand by the right; we will take the Constitution; we will defend it by the sword with the halter around our necks. Will that satisfy the honorable Senator from Kentucky? You cannot intimidate my constituents by talking to them about treason. They are ready to fight for the right with the rope around their necks, and meet the Black Republicans and their allies upon whatever ground they may select. Treason; bah!

The Black Republicans denounce Mr. Buchanan because he has construed the relation of master and slave "to involve an unqualified property in persons." Mr. Lincoln approves their censure. So far as this denounces the language employed by the President, it is a simple denial of all property in slaves; but, with characteristic knavery, this party put enough of falsehood to misrepresent his real meaning. Upon the point referred to, the President has gone no further than the Supreme Court; and his declaration may be safely left to judicial vindication.

But I have promised to show that Lincoln has refused obedience to judicial interpretations of a constitutional question. In his speech of July 10th, 1856, he said:—

"If I were in Congress, and a vote should come up on the question whether slavery should be prohibited in a new Territory, in spite of the Dred Scott Decision, I would vote that it should."

I omitted to remark in its proper place that not only Mr. Lincoln repudiates the propositions which I submitted to the committee of thirteen of the Senate, but they were all voted against by the five members representing the Black Republican party in

the Senate of the United States upon the committee of thirteen, and I presumed they were not extreme men. Some of them, I had been led to believe, were the moderate men who were among, and not of, the organization. But every principle which was proposed received the condemnation of every one of them. A resolution involving the same principles, introduced by a distinguished colleague of mine in the House of Representatives, was voted down, I believe, by a unanimous vote of all the members of that House belonging to the Republican party. The same lesson is taught by every declaration they make, even by the treacherous silence which has been maintained by their most extreme men on this floor and elsewhere, on these subjects, since the beginning of this session. Probably some of them thought it was best to be calm, supposing that perhaps the foot which was upon the neck of slavery was insecure. Possibly, "the jubilant Senator from the Northwest" [Mr. Doolittle] thought the domination might not be perpetual, and that it was well to bring the coils of power, of place, of armies, of navies, and of legality around us, in order to tighten our chains before we were alarmed. We understand this danger, and we will anticipate it. You will have to use your strength, not ours, to rivet our chains; spend your own money and your own blood, not ours, to consolidate your power.

I have, then, established the proposition — it is admitted — that you seek to outlaw four billion dollars' worth of property of our people in the Territories of the United States. Is not that a cause of war? Is it a grievance that four billion dollars' worth of the property of the people should be outlawed in the Territories of the United States by the common Government? What, then, is our reliance? Your treachery to yourselves? I will not accept that guarantee. I know you are treacherous to us, but I see no reason but justice why you should betray each other; and that will not avail you. I think, therefore, you will do what you say on that question; at least there can be no harm in my accepting your declarations as true. I believe that however hostile nations may be, they take the warlike declarations of the enemy as true and sufficient for their action. Then you have declared, Lincoln declares, your platform declares, your people declare, your legislatures declare — there is one voice running through your entire phalanx — that we shall be outlawed in the Territories of the United States. I say we will not be; and we are willing to meet

the issue; and, rather than submit to such an outlawry, we will defend our territorial rights as we would our household gods. . . . . .

This Republican party sometimes say: "We are not an Abolition party." Take away their Abolitionists, and they are nobody. They would be beaten even in New England. All Abolitionists are Republicans, whether all Republicans are Abolitionists or not. We understand that. There may be, perhaps, an exception to abolition unanimity, and that is in regard to one class, an honest class,—composed of the New England or Boston antislavery society, headed by Garrison. Garrison looks at it squarely and honestly. He says to these very Abolitionists of the other sort, the political Abolitionists: "Your Government is a proslavery Government; you take oaths and you violate them; we will not take these oaths, because we will not break them." That is the difference between you and them. One of the most able, and eloquent, and well-written *exposés* of the position of the Garrison Abolitionists that I have seen anywhere is to be found in a late annual report of the Massachusetts antislavery society; and they say that "the Constitution is a proslavery instrument which does recognize slavery, and you perjure yourselves when you take oaths to support it, and break them. We cannot vote, we cannot take office, because we will not take oaths to break them; we cannot vote for you, because we will not vote for men who will take oaths and break them." That is an authoritative exposition from this class of Abolitionists. So it seems that the Abolitionists with whom we have to deal are so base that the honest Abolitionists themselves will not trust them.

I have already adverted to the proposition in regard to giving up criminals who are charged with stealing negroes, and I have referred to the cases of Maine, New York, and Ohio. I come now to the last specification—the requirement that laws should be passed punishing all who aid and abet insurrection. These are offenses recognized by the laws of nations as inimical to all society; and I will read the opinions of an eminent publicist when I get to that point. I said that you had aided and abetted insurrection. John Brown certainly invaded Virginia. John Brown's sympathizers, I presume, are not Democrats. Two of the accomplices of John Brown fled—one to Ohio, one to Iowa. The Governors of both States refused to give up the fugitives from justice. The party maintained them. . . .

This man Brown and his accomplices had sympathizers. Who were they? One of them, as I have before said, who was, according to his public speeches, a defender and a laudator of John Brown — is Governor of Massachusetts. Other officials of that State applauded Brown's heroism, magnified his courage, and, no doubt, lamented his ill success. Throughout the whole North, public meetings, immense gatherings, triumphal processions, the honors of the hero and the conqueror, were awarded to this incendiary and assassin. They did not condemn the traitor; think you they abhorred the treason? . . .

You will not regard confederate obligations; you will not regard constitutional obligations; you will not regard your oaths. What, then, am I to do? Am I a freeman? Is my State a free State, to lie down and submit because political fossils raise the cry of the glorious Union? Too long already have we listened to this delusive song. We are freemen. We have rights; I have stated them. We have wrongs; I have recounted them. I have demonstrated that the party now coming into power has declared us outlaws, and is determined to exclude four thousand millions of our property from the common Territories; that it has declared us under the ban of the empire, and out of the protection of the laws of the United States everywhere. They have refused to protect us from invasion and insurrection by the Federal power, and the Constitution denies to us in the Union the right either to raise fleets or armies for our own defense. All these charges I have proven by the record; and I put them before the civilized world, and demand the judgment of to-day, of to-morrow, of distant ages, and of Heaven itself, upon the justice of these causes. I am content, whatever it be, to peril all in so noble, so holy a cause. We have appealed, time and time again, for these constitutional rights. You have refused them. We appeal again. Restore us these rights as we had them, as your court adjudges them to be, just as all our people have said they are; redress these flagrant wrongs, seen of all men, and it will restore fraternity, and peace, and unity, to all of us. Refuse them, and what then? We shall then ask you: "Let us depart in peace." Refuse that and you present us war. We accept it; and inscribing upon our banners the glorious words, "Liberty and equality," we will trust to the blood of the brave and the God of battles for security and tranquillity.

# LYMAN TRUMBULL

(1813–1896)

LYMAN TRUMBULL was born in Colchester, Connecticut, in 1813, but he removed to Illinois in his early youth and is completely identified historically with that State. Bred a lawyer, having great attainments in his profession, and a mind of extraordinary comprehensiveness, he exerted an influence greater than his reputation and made a record of lasting usefulness rather than of brilliant display. Between 1840 and 1876 he was successively a Member of the Illinois Legislature, Justice of the State Supreme Court, Member of the Federal House of Representatives, and United States Senator. During nearly the whole of this period he opposed the Democratic party on issues developed by the contest over slavery; but after these lost their force, he applied his lifelong principles to the new conditions existing in the country in a way which strongly antagonized the Republican party also. He was thus at various times in his life looked upon as "a Radical" by adherents of both the great parties, but his was not the "Radicalism" of passion. He had a mind of great and often formidable analytical power and he used it fearlessly. The speech in which he announced the death of Judge Douglas represents the underlying charity of his disposition rather than the stern aggressiveness which sometimes characterized him. He died June 25th, 1896.

## ANNOUNCING THE DEATH OF DOUGLAS

(Delivered in the United States Senate, July 9th, 1861)

*Mr. President:—*

AT THE close of the last day in the month of May 1861, on entering the city of Chicago after a brief visit to this place, I was informed by a friend who met me at the depot, that my colleague in this body, Honorable Stephen A. Douglas, was dying, and would not probably survive an hour. As I approached the Tremont House in which he lay, I found the sidewalks and the vestibule of the hotel thronged with people anxiously inquiring

after the condition of the dying man. The next morning it was some relief to know that he was still alive, though it was said with little hope of a recovery. He continued in this condition the whole of that day and the next, when the public began to entertain expectations of his restoration to health. The fears and hopes of the immediate attendants, friends, and relatives, who watched over him during those awful hours of suspense, and till nine o'clock on the morning of the third day of June, when he expired, I have no disposition, had I the power, to portray. The solemn duty of announcing my late colleague's decease imposes upon me no such obligation; and God grant that the wounds then inflicted may not be opened afresh.

Mr. Douglas was born at Brandon, Vermont, April 23d, 1813, being but forty-eight years of age at the time of his decease. He was descended from Puritan ancestors by both his parents. Of one — his father — he was bereft in infancy. His mother still survives. After acquiring such an education as could be obtained at the common school and the academy, not having the means to perfect it by a collegiate course, at the early age of twenty he emigrated to the State of Illinois, where he taught school for a short time, and, in 1834, was admitted to the bar to practice law. In 1835, he was made State's attorney; and from that day till the day of his death was almost constantly engaged in the public service of either the State or the nation. He held the offices of State's Attorney, Representative in the Legislature, Secretary of State, and Justice of the Supreme Court in the State of Illinois, and also that of Register of the Land Office at Springfield, in that State, by appointment from Mr. Van Buren, before he entered the councils of the nation, as a Representative in the other branch of Congress, in 1843.

He was three times elected by the people to the House of Representatives, and thrice by the legislature of his State to a seat in this body, and was continuously a member of one House or the other, from his first entry, in 1843, till his death, four years of his last senatorial term still remaining unexpired. From this brief history, it appears that Judge Douglas devoted more than half his life, and all the years of his manhood, to the public service; and so prominent was the part he took in public affairs, so intimate the connection between his own rise and fame, and the progress and renown of his State and the nation, that the history of the one would be incomplete without that of the other.

No great public movement has taken place since he entered public life which has not felt the influence of his will and his intellect; perhaps no one man, since the Government began, ever exercised a greater influence over the masses of the people than he. No one ever gathered around him more devoted followers or more enthusiastic admirers, who were willing to do and dare more for another, than were his friends for him.

What this charm was which so linked the popular heart to him that it never faltered even under circumstances apparently the most discouraging, seems almost mysterious. This feeling of attachment followed him to the grave, and was never more manifest than after his decease, when he had become alike indifferent to the adulation of friends or the censure of enemies, and when his power had forever departed either to reward the one or punish the other. It was then, if ever, as his body lay lifeless in the city of Chicago, that the true feeling of a people would manifest itself; and it did manifest itself, not only there, but throughout the nation, to an extent scarcely, if ever, witnessed since the death of the Father of his Country. The badges of mourning were seen displayed, not only from the public buildings and the mansions of the rich, but the cottages of the poor, the carts of the workmen, and the implements of the laborer, were everywhere to be seen draped with the habiliments of woe, all the more touching as they were simple and plain. The people's favorite in life, he was followed by their lamentations in death.

But Judge Douglas possessed not only the power of fascinating the masses; he was a marked man wherever he went and with whomsoever he associated. No matter whether as a lawyer at the bar; as a judge on the bench; at an agricultural society, where the skilled in mechanic and industrial pursuits were assembled; at some college commencement, where the learned were convened; in the other house of Congress, in the midst of the tumult and commotion of its most excited debates; in this more deliberative body, or before the popular assembly of the people; wherever he appeared he always shone conspicuous. He was one of the few men who have proved themselves equal to every emergency in which they have been called upon to act. I remember well when he was transferred from the House of Representatives to the Senate, his enemies predicted and his friends feared that his talents were not fitted for this body, and that he would be unable to sustain the reputation he had acquired in the

more popular branch. He entered here when the great men whose talents and learning and eloquence have shed an undying lustre on the American Senate — when Clay, Webster, Benton, and Calhoun, in the vigor of manhood, full of wisdom and experience, were still here, and proved himself no mean compeer of either. His speech of 1850, wherein he met and refuted the positions of the great Carolinian, upon the very points which have been made the pretexts of the Southern rebellion, was perhaps the greatest effort of his life.

The distinguishing characteristics of Judge Douglas, which enabled him to cope successfully with the greatest intellects of the age, were fearlessness, quickness of apprehension, a strong will, and indomitable energy. He knew no such word as fail. He had full confidence in himself, and of his ability to accomplish whatever he undertook. In controversy he was unsurpassed; and without pretension either to accomplished scholarship or eloquence, there was a fullness in his voice, an earnestness in his manner, a directness in his argument, and a determination in his every look and action, which never failed to command attention; and, often electrifying the multitude, would elicit unbounded applause. This crowded chamber has often been witness of the delight with which the multitude hung upon his words.

Of the political course of Judge Douglas, and its effect on the country, it does not become me to speak; but I may be permitted to say that, when a portion of the opposition to the administration assumed the position of armed resistance to its authority, and attempted by force to dismember the Republic, he at once took sides with his country. His course had much to do in producing that unanimity in support of the Government which is now seen throughout the loyal States. The sublime spectacle of twenty million people rising as one man in vindication of constitutional liberty and free government, when assailed by misguided rebels and plotting traitors, is, to a considerable extent, due to his efforts. His magnanimous and patriotic course in this trying hour of his country's destiny was the crowning act of his life. All his life long a devoted partisan of the Democratic faith, he did not hesitate, when his country was in peril chiefly from those who had formerly been his political associates, to give his powerful support and the aid of his great influence to the Government, though controlled by political adversaries. If, in thus discharging his duty, Judge Douglas manifested a disinterestedness, a

magnanimity, and a patriotism, which entitle him to credit, it is but just to say that he was met by his political opponents in a similar spirit. Perhaps the highest compliment ever paid him, and one which few statesmen have ever received, was that extended to him by the legislature of Illinois, on his return to the State after the close of the last session of the Senate. That body, controlled in both its branches by his political adversaries, unanimously invited him to address them on the condition of the country; and nobly did he respond to the invitation. His address delivered on that occasion, which, by order of the legislature, was extensively circulated through the State, will ever remain an enduring monument to his fame, and an example worthy of all imitation of the sacrifice of pride to principle, of self to country, and of party to patriotism.

In social life, Judge Douglas was genial and attractive. Open, frank, and generous almost to a fault, he never failed to exercise a large influence over all with whom he came in contact; and few men have ever had more numerous or more devoted personal friends.

Such were some of the characteristics of our departed brother. Inheriting neither wealth nor position from an illustrious ancestry, he acquired both by the active, energetic, laborious, and never-ceasing use of those noble faculties with which he was endowed by the Great Author of all; and if the wealth he at one time possessed does not remain to those who were dependent on him, it is because the energies of his great mind were devoted rather to the country and to the whole people than to providing for his own. Laboring under the defects of an imperfect education in early life, his industry and his energy supplied the want. He was emphatically a self-made man, and the history of his life affords a striking illustration of what industry and energy, united with a strong will, can accomplish.

But that iron will, which had so often met and overcome obstacles, was compelled to yield at last to the King of Terrors; for it is appointed unto men once to die. Only a few months ago, Judge Douglas, in vigorous health, went forth from this Chamber to rally his countrymen to the support of the Constitution and the laws, and then to die; to die at the very zenith of his fame, when a whole loyal people, forgetting past political ties, stood ready to do him honor. His death, in the full vigor of manhood, should admonish us who are left that here we have no

abiding place—it may be not even for the brief periods for which we are chosen members of this body.

Mr. Douglas was not a professor of religion in the sense of being attached to any particular church; but in his will, executed several years before his decease, after providing for his worldly affairs, he says: "I commit my soul to God, and ask the prayers of the good for his divine blessing"; thus leaving on record the evidence of his trust in the Supreme Ruler of the world. He leaves surviving him a widow, and two children by a former marriage. Into the domestic circle broken by his departure I do not propose to enter, nor to attempt by any poor words of mine to administer consolation to those who were bound to him by the closest of ties. How unutterable must be the anguish of the aged mother, the sister, the children, and the bosom companion of him whose departure has clothed a whole nation in mourning! I can only point them to him who has promised to be a father to the fatherless, and the widow's God.

On the seventeenth day of June last, all that remained of our departed brother was interred near the city of Chicago, on the shore of Lake Michigan, whose pure waters, often lashed into fury by contending elements, are a fitting memento of the stormy and boisterous political tumults through which the great popular orator so often passed. There the people, whose idol he was, will erect a monument to his memory; and there, in the soil of the State which so long without interruption, and never to a greater extent than at the moment of his death, gave him her confidence, let his remains repose, so long as free governments shall last, and the Constitution he loved shall endure.

# WILLIAM TYNDALE

(*c.* 1484–1536)

WILLIAM TYNDALE, translator of the English Bible, was born in Gloucestershire, England, at a time when the revival of classical learning in northern Europe had already progressed so far as to make revolution inevitable. He was educated at Oxford for the Priesthood and began his ministry as Chaplain in the family of Sir John Walsh in Gloucestershire. As early as the summer of 1523 he was examined on suspicion of heresy, but having purged himself he was allowed to continue his work, preaching and translating the Bible. In 1524 he visited Luther at Wittenberg and until his death in 1536 he lived on the continent, working from 1524 to 1530 to complete and bring out his translations. In 1535, while living at Brussels, he was arrested for heresy and imprisoned in the Castle of Vilvorde. On October 6th, 1536, he was first strangled and then burned at the stake. His sermon, 'The Use and Abuse of Images and Relics,' is a good illustration both of his eloquence and of his theological opinions.

## THE USE AND ABUSE OF IMAGES AND RELICS

NOW LET us come to the worshiping or honoring of sacraments, ceremonies, images, and relics. First, images be not God, and therefore no confidence is to be put in them. They be not made after the image of God, nor are the price of Christ's blood; but the workmanship of the craftsman, and the price of money, and therefore inferiors to man.

Wherefore of all right man is lord over them, and the honor of them is to do man service; and man's dishonor is to do them honorable service, as unto his better. Images then, and relics, yea, and as Christ saith, the holy day, too, are servants unto man. And therefore it followeth that we cannot, but unto our damnation, put on a coat worth an hundred coats upon a post's back, and let the image of God and the price of Christ's blood go up and down thereby naked. For if we care more to clothe the

dead image made by man, and the price of silver, than the lively image of God and the price of Christ's blood; then we dishonor the image of God, and him that made him, and the price of Christ's blood and him that bought him.

Wherefore the right use, office, and honor of all creatures, inferiors unto man, is to do man service; whether they be images, relics, ornaments, signs, or sacraments, holy days, ceremonies, or sacrifices. And that may be on this manner, and no doubt it so once was. If (for example) I take a piece of the cross of Christ and make a little cross thereof and bear it about me, to look thereon with a repenting heart at times when I am moved thereto, to put me in remembrance that the body of Christ was broken and his blood shed thereon for my sins; and believe steadfastly that the merciful truth of God shall forgive the sins of all that repent, for his death's sake, and never think on them more; then it serveth me and not I it; and doth me the same service as if I read the testament in a book, or as if the preacher preached it unto me. And in like manner, if I make a cross on my forehead in a remembrance that God hath promised assistance unto all that believe in him, for his sake that died on the cross, then doth the cross serve me, and not I it. And in like manner, if I bear on me or look upon a cross, of whatsoever matter it be, or make a cross upon me, in remembrance that whosoever will be Christ's disciple must suffer a cross of adversity, tribulations, and persecution, so doth the cross serve me and not I it. And this was the use of the cross once, and for this cause it was at the beginning set up in the churches.

And so, if I make an image of Christ, or of anything that Christ hath done for me in a memory, it is good and not evil until it be abused. And even so if I take the true life of a saint and cause it to be painted or carved, to put me in remembrance of the saint's life, to follow the saint as the saint did Christ; and to put me in remembrance of the great faith of the saint to God, and how true God was to help him out of all tribulation, and to see the saint's love towards his neighbor, in that he so patiently suffered so painful a death and so cruel a martyrdom to testify the truth, for to save others, and all to strengthen my soul withal and my faith to God and love to my neighbor, then doth the image serve me and not I it. And this was the use of images at the beginning, and of relics also. And to kneel before the cross unto the Word of God which the cross preacheth is not

evil. Neither to kneel down before an image, in a man's meditation, to call the living of the saint to mind, for to desire of God like grace to follow the ensample is not evil. But the abuse of the thing is evil, and to have a false faith, as to bear a piece of the cross about a man, thinking that so long as that is about him spirits shall not come at him, his enemies shall do him no bodily harm, all causes shall go on his side even for bearing it about him; and to think if it were not about him it would not be so, and to think if any misfortune chance that it came for leaving it off, or because this or that ceremony was left undone, and not rather because we have broken God's commandments, or that God tempteth us, to prove our patience, this is plain idolatry; and here a man is captive, bond and servant, unto a false faith and a false imagination, that is neither God nor his Word. Now am I God's only, and ought to serve nothing but God and his Word. My body must serve the rulers of this world and my neighbor, as God hath appointed it, and so must all my goods; but my soul must serve God only, to love his law and to trust in his promises of mercy in all my deeds. And in like manner it is that thousands, while the priest pattereth St. John's Gospel in Latin over their heads, cross themselves with, I trow, a legion of crosses behind and before; and (as Jack-of-Napes, when he claweth himself) pluck up their legs and cross so much as their heels and the very soles of their feet, and believe that if it be done in the time that he readeth the Gospel (and else not) that there shall no mischance happen them that day, because only of those crosses. And where he should cross himself to be armed and make himself strong to bear the cross with Christ he crosseth himself to drive the cross from him; and blesseth himself with a cross from the cross. And if he leave it undone, he thinketh it no small sin, and that God is highly displeased with him, and if any misfortune chance thinketh it is therefore, which is also idolatry and not God's Word. And such is the confidence in the place or image, or whatsoever bodily observance it be; such is St. Agatha's letter written in the Gospel time. And such are the crosses on Palm Sunday, made in the passion time. And such is the bearing of holy wax about a man. And such is that some hang a piece of St. John's Gospel about their necks. And such is to bear the names of God with crosses between each name about them. Such is the saying of Gospels unto women in childbed. Such is the limiter's saying of *in principio erat verbum*,

from house to house. Such is the saying of Gospels to the corn in the field, in the procession week, that it should the better grow. And such is holy bread, holy water, and serving of all ceremonies and sacraments in general, without signification. And I pray you, how is it possible that the people can worship images, relics, ceremonies, and sacraments, save superstitiously, so long as they know not the true meaning, neither will the prelates suffer any man to tell them? yea, and the very meaning of some, and right use no man can tell.

# JOHN TYNDALL

(1820–1893)

THE addresses on scientific topics delivered by Professor Tyndall in England and America represent deep thoughts expressed in language always fit, often beautiful, and not infrequently sublime. Born in Ireland, August 21st, 1820, he began life in the office of a firm of engineers, and was afterward a teacher at Queenwood College, Hants — a position from which he went to the University of Marburg to continue his own studies (1848–51). In 1852 he was elected a Fellow of the Royal Society; and having won thus early in his career a recognition which no one deserved better, he used his advantages for the ends of science and used them so well that the world will always remain his debtor. He studied the laws of heat, light, and electricity with such penetration that the greatest scientific teachers and inventors of the world became his pupils. He called himself a "materialist," but to him matter was "the living garment of God," manifesting the Divine Power through law as the Divine Will. Whatever may be thought of his theological and political opinions, there can be no question of the eloquence with which he presented them. He died December 4th, 1893.

## THE ORIGIN OF LIFE

(From an Address Delivered before the British Association at Liverpool, September 16th, 1870)

DOES life belong to what we call matter, or is it an independent principle inserted into matter at some suitable epoch — say when the physical conditions become such as to permit of the development of life? Let us put the question with all the reverence due to a faith and culture in which we all were cradled — a faith and culture, moreover, which are the undeniable historic antecedents of our present enlightenment. I say, let us put the question reverently, but let us also put it clearly and definitely. There are the strongest grounds for believing that

during a certain period of its history the earth was not, nor was it fit to be, the theatre of life. Whether this was ever a nebulous period, or merely a molten period, does not much matter; and if we revert to the nebulous condition, it is because the probabilities are really on its side. Our question is this: Did creative energy pause until the nebulous matter had condensed, until the earth had been detached, until the solar fire had so far withdrawn from the earth's vicinity as to permit a crust to gather round the planet? Did it wait until the air was isolated, until the seas were formed, until evaporation, condensation, and the descent of rain had begun, until the eroding forces of the atmosphere had weathered and decomposed the molten rocks so as to form soils, until the sun's rays had become so tempered by distance and waste as to be chemically fit for the decompositions necessary to vegetable life? Having waited through those Æons until the proper conditions had set in, did it send the fiat forth: "Let life be!" These questions define a hypothesis not without its difficulties, but the dignity of which was demonstrated by the nobleness of the men whom it sustained.

Modern scientific thought is called upon to decide between this hypothesis and another; and public thought generally will afterward be called upon to do the same. You may, however, rest secure in the belief that the hypothesis just sketched can never be stormed, and that it is sure, if it yield at all, to yield to a prolonged siege. To gain new territory modern argument requires more time than modern arms, though both of them move with greater rapidity than of yore. But however the convictions of individuals here and there may be influenced, the process must be slow and secular which commends the rival hypothesis of Natural Evolution to the public mind. Strip it naked and you stand face to face with the notion that not alone the nobler forms of the horse and lion, not alone the exquisite and wonderful mechanism of the human body, but that the human mind itself — emotion, intellect, will, and all their phenomena — were once latent in a fiery cloud. Surely the mere statement of such a notion is more than a refutation. But the hypothesis would probably go further than this. Many who hold it would probably assent to the position that at the present moment all our philosophy, all our poetry, all our science, and all our art — Plato, Shakespeare, Newton, and Raphael — are potential in the fires of the sun. We long to learn something of our

origin. If the Evolution hypothesis be correct, even this unsatisfied yearning must have come to us across the ages which separate the unconscious primeval mist from the consciousness of to-day. I do not think that any holder of the Evolution hypothesis would say that I overstate it or overstrain it in any way. I merely strip it of all vagueness, and bring before you unclothed and unvarnished the notions by which it must stand or fall.

Surely these notions represent an absurdity too monstrous to be entertained by any sane mind. Let us, however, give them fair play. Let us steady ourselves in front of the hypothesis, and, dismissing all terror and excitement from our minds, let us look firmly into it with the hard, sharp eye of intellect alone. Why are these notions absurd, and why should sanity reject them? The law of relativity, of which we have previously spoken, may find its application here. These Evolution notions are absurd, monstrous, and only fit for the intellectual gibbet, in relation to the ideas concerning matter which were drilled into us when young. Spirit and matter have ever been presented to us in the rudest contrast, the one as all-noble, the other as all-vile. But is this correct? Does it represent what our mightiest spiritual teacher would call the eternal fact of the universe? Upon the answer to this question all depends. Supposing, instead of having the foregoing antithesis of spirit and matter presented to our youthful minds, we had been taught to regard them as equally worthy and equally wonderful; to consider them in fact as two opposite faces of the self-same mystery. Supposing that in youth we had been impregnated with the notion of the poet Goethe, instead of the notion of the poet Young, looking at matter, not as brute matter, but as "the living garment of God"; do you not think that under these altered circumstances the law of relativity might have been an outcome different from its present one? Is it not probable that our repugnance to the idea of primeval union between spirit and matter might be considerably abated? Without this total revolution of the notions now prevalent, the Evolution hypothesis must stand condemned; but in many profoundly thoughtful minds such a revolution has already taken place. They degrade neither member of the mysterious duality referred to; but they exalt one of them from its abasement, and repeal the divorce hitherto existing between both. In substance, if not in words, their position as regards the relation of spirit and matter is: "What God hath joined together let no

man put asunder." And with regard to the ages of forgetfulness which lie between the unconscious life of the nebula and the conscious life of the earth, it is, they would urge, but an extension of that forgetfulness which preceded the birth of us all.

I have thus led you to the outer rim of speculative science, for beyond the nebulæ scientific thought has never ventured hitherto, and have tried to state that which I considered ought, in fairness, to be outspoken. I do not think this Evolution hypothesis is to be flouted away contemptuously; I do not think it is to be denounced as wicked. It is to be brought before the bar of disciplined reason, and there justified or condemned. Let us hearken to those who wisely oppose it; and to those who wisely support it; and let us tolerate those, and they are many, who foolishly try to do either of these things. The only thing out of place in the discussion is dogmatism on either side. Fear not the Evolution hypothesis, steady yourselves in its presence upon that faith in the ultimate triumph of truth which was expressed by old Gamaliel when he said: "If it be of God, ye cannot overthrow it; if it be of man, it will come to naught." Under the fierce light of scientific inquiry, this hypothesis is sure to be dissipated if it possess not a core of truth. Trust me, its existence as a hypothesis in the mind is quite compatible with the simultaneous existence of all those virtues to which the term Christian has been applied. It does not solve — it does not profess to solve — the ultimate mystery of this universe. It leaves in fact that mystery untouched. For granting the nebula and its potential life, the question, Whence came they? would still remain to baffle and bewilder us. At bottom, the hypothesis does nothing more than "transport the conception of life's origin to an indefinitely distant past."

Those who hold the doctrine of Evolution are by no means ignorant of the uncertainty of their data, and they yield no more to it than a provisional assent. They regard the nebular hypothesis as probable, and in the utter absence of any evidence to prove the act illegal, they extend the method of nature from the present into the past. Here the observed uniformity of nature is their only guide. Within the long range of physical inquiry, they have never discerned in nature the insertion of caprice. Throughout this range the laws of physical and intellectual continuity have run side by side. Having thus determined the elements of their curve in a world of observation and

experiment, they prolong that curve into an antecedent world, and accept as probable the unbroken sequence of development from the nebula to the present time. You never hear the really philosophical defenders of the doctrine of uniformity speaking of impossibilities in nature. They never say, what they are constantly charged with saying, that it is impossible for the builder of the universe to alter his work. Their business is not with the possible, but the actual — not with a world which might be, but with a world that is. This they explore with a courage not unmixed with reverence, and according to methods which, like the quality of a tree, are tested by their fruits. They have but one desire — to know the truth. They have but one fear — to believe a lie. And if they know the strength of science, and rely upon it with unswerving trust, they also know the limits beyond which science ceases to be strong. They best know that questions offer themselves to thought which science as now prosecuted has not even the tendency to solve. They keep such questions open, and will not tolerate any unnecessary limitation of the horizon of their souls. They have as little fellowship with the atheist who says there is no God as with the theist who professes to know the mind of God. "Two things," said Immanuel Kant, "fill me with awe; the starry heavens and the sense of moral responsibility in man." And in his hours of health and strength and sanity, when the stroke of action has ceased and the pause of reflection has set in, the scientific investigator finds himself overshadowed by the same awe. Breaking contact with the hampering details of earth, it associates him with a power which gives fullness and tone to his existence, but which he can neither analyze nor comprehend.

## DEMOCRACY AND HIGHER INTELLECT

(Peroration of a Lecture on Light, Delivered in New York in 1873)

When the Pilgrim Fathers landed at Plymouth Rock, and when Penn made his treaty with the Indians, the newcomers had to build their houses, to chasten the earth into cultivation, and to take care of their souls. In such a community, science, in its more abstract forms, was not to be thought of. And, at the present hour, when your hardy Western pioneers stand face to face with stubborn Nature, piercing the mountains

and subduing the forest and the prairie, the pursuit of science, for its own sake, is not to be expected. The first need of man is food and shelter; but a vast portion of this continent is already raised far beyond this need. The gentlemen of New York, Brooklyn, Boston, Philadelphia, Baltimore, and Washington, have already built their houses, and very beautiful they are; they have also secured their dinners, to the excellence of which I can also bear testimony. They have, in fact, reached that precise condition of well-being and independence when a culture, as high as humanity has yet reached, may be justly demanded at their hands. They have reached that maturity, as possessors of wealth and leisure, when the investigator of natural truth, for the truth's own sake, ought to find among them promoters and protectors.

Among the many grave problems before them they have this to solve, whether a Republic is able to foster the highest forms of genius. You are familiar with the writings of De Tocqueville, and must be aware of the intense sympathy which he felt for your institutions; and this sympathy is all the more valuable, from the philosophic candor with which he points out, not only your merits, but your defects and dangers. Now, if I come here to speak of science in America in a critical and captious spirit, an invisible radiation from my words and manner will enable you to find me out, and will guide your treatment of me to-night. But, if I, in no unfriendly spirit — in a spirit, indeed, the reverse of unfriendly — venture to repeat before you what this great historian and analyst of democratic institutions said of America, I am pursuaded that you will hear me out. He wrote some three and twenty years ago, and perhaps would not write the same to-day; but it will do nobody any harm to have his words repeated, and, if necessary, laid to heart. In a work published in 1850, he says: "It must be confessed that, among the civilized peoples of our age, there are few in which the highest sciences have made so little progress as in the United States." He declares his conviction that, had you been alone in the universe, you would speedily have discovered that you cannot long make progress in practical science, without cultivating theoretic science at the same time. But, according to De Tocqueville, you are not thus alone. He refuses to separate America from its ancestral home; and it is here, he contends, that you collect the treasures of the intellect without taking the trouble to create them.

De Tocqueville evidently doubts the capacity of a democracy to foster genius as it was fostered in the ancient aristocracies. "The future," he says, "will prove whether the passion for profound knowledge, so rare and so fruitful, can be born and developed so readily in democratic societies as in aristocracies. As for me," he continues, "I can hardly believe it." He speaks of the unquiet feverishness of democratic communities, not in times of great excitement, for such times may give an extraordinary impetus to ideas, but in times of peace. "There is then," he says, "a small and uncomfortable agitation, a sort of incessant attrition of man against man, which troubles and distracts the mind without imparting to it either animation or elevation." It rests with you to prove whether these things are necessarily so — whether the highest scientific genius cannot find in the midst of you a tranquil home. I should be loath to gainsay so keen an observer and so profound a political writer, but, since my arrival in this country, I have been unable to see anything in the constitution of society to prevent a student with the root of the matter in him from bestowing the most steadfast devotion on pure science. If great scientific results are not achieved in America, it is not to the small agitations of society that I should be disposed to ascribe the defect, but to the fact that the men among you who possess the endowments necessary for scientific inquiry are laden with duties of administration or tuition so heavy as to be utterly incompatible with the continuous and tranquil meditation which original investigation demands. It may well be asked whether Henry would have been transformed into an administrator, or whether Draper would have forsaken science to write history; if the original investigator had been honored as he ought to be in this land. I hardly think they would. Still I do not think this state of things likely to last. In America there is a willingness on the part of individuals to devote their fortunes, in the matter of education, to the service of the Commonwealth, which is without a parallel elsewhere; and this willingness requires but wise direction to enable you effectually to wipe away the reproach of De Tocqueville.

Your most difficult problem will be not to build institutions, but to make men; not to form the body, but to find the spiritual embers which shall kindle within that body a living soul. You have scientific genius among you; not sown broadcast, believe me, but still scattered here and there. Take all unnecessary im-

pediments out of its way. Drawn by your kindness I have come here to give these lectures, and, now that my visit to America has become almost a thing of the past, I look back upon it as a memory without a stain. No lecturer was ever rewarded as I have been. From this vantage ground, however, let me remind you that the work of the lecturer is not the highest work; that in science the lecturer is usually the distributor of intellectual wealth amassed by better men. It is not solely, or even chiefly, as lecturers, but as investigators, that your men of genius ought to be employed. Keep your sympathetic eye upon the originator of knowledge. Give him the freedom necessary for his researches, not overloading him either with the duties of tuition or of administration, not demanding from him so-called practical results — above all things, avoiding that question which ignorance so often addresses to genius: "What is the use of your work?" Let him make truth his object, however unpractical for the time being that truth may appear. If you cast your bread thus upon the waters, then be assured it will return to you, though it may be after many days.

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